

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **HB 197** HLS 16RS 770

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> April 4, 2016	11:32 AM	<b>Author:</b> PYLANT
<b>Dept./Agy.:</b> Corrections		<b>Analyst:</b> Monique Appeaning
<b>Subject:</b> Failure to Properly Operate a Child Day Care Center		

CRIME EG INCREASE LF EX See Note Page 1 of 1

Creates crime of failure to properly operate a child day care center

Proposed law provides that unlawful operation of an unlicensed child daycare center is any of the following: (1) The intentional operation of a child day care center without a license; (2) The continued operation of a child daycare center after notification by the Dept. of Education that the person operating the facility should seek a license; and (3) The continued operation of a child day care center after the Dept. of Education has revoked a license. Proposed law provides a penalty of a fine of not more than \$1,000, imprisonment for not more than six months, or both. Proposed law provides that the Department of Education shall be responsible for the investigation of violations and make determinations with respect to violations of the proposed law. It further states that, the Department of Education shall submit all evidence and findings to a law enforcement agency for any arrest for a violation of the proposed law.

<b>EXPENDITURES</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
<b>Annual Total</b>						

  

<b>REVENUES</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>5 -YEAR TOTAL</b>
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Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

There is no anticipated direct material effect on state governmental expenditures as a result of this measure because this legislation creates a misdemeanor offense. However, there is an indeterminable increase in expenditures for local governing authorities if a defendant unlawfully operates an unlicensed child daycare center. The maximum imprisonment term is six (6) months at the local level. Proposed law codifies existing practices by the Department of Education that they shall be responsible for the investigation of violations and make determinations with respect to violations of the proposed law. It further states that the Department of Education shall submit all evidence and findings to a law enforcement agency for any arrest for a violation of the proposed law.

**REVENUE EXPLANATION**

The proposed legislation may result in an indeterminable increase in local funds revenue as a result of potential fines for unlawfully operating an unlicensed child daycare center. The maximum fine assessed is \$1,000. The potential revenue will accrue to the local governing authority.

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|---|--|--------------|
| <u>Senate</u>   | <u>Dual Referral Rules</u>   | <u>House</u> |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}       | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}                    |              |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H} | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |              |

*Evan Brasseaux*  
**Evan Brasseaux**  
**Staff Director**