

LEGISLATIVE FISCAL OFFICE

Fiscal Note



Fiscal Note On: **HB 218** HLS 08RS 787

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 10, 2008	1:39 PM	Author: GUILLORY, ELBERT
Dept./Agy.: Corrections		Analyst: Kristy F. Gary
Subject: Sentencing		

CRIMINAL/SENTENCING

EG +\$4,500,000 GF EX See Note

Page 1 of 1

Expands the list of crimes for which a criminal sentence may not be suspended

The proposed legislation adds to the list of crimes of violence which are not subject to suspension: illegal use of weapons or dangerous instrumentalities, aggravated second degree battery, aggravated assault upon a peace officer with a firearm, aggravated assault with a firearm, armed robbery, use of firearm, aggravated robbery, disarming of a peace officer, second degree cruelty to juveniles, aggravated flight from an officer, terrorism, and aggravated incest.

EXPENDITURES	<u>2008-09</u>	<u>2009-10</u>	<u>2010-11</u>	<u>2011-12</u>	<u>2012-13</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	\$4,500,000	\$4,500,000	\$4,500,000	\$4,500,000	\$4,500,000	\$22,500,000
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total	\$4,500,000	\$4,500,000	\$4,500,000	\$4,500,000	\$4,500,000	\$22,500,000

REVENUES	<u>2008-09</u>	<u>2009-10</u>	<u>2010-11</u>	<u>2011-12</u>	<u>2012-13</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

The proposed legislation will increase expenditures by approximately \$4.5 million per year. The passage of the proposed legislation would amend the present law to add to the list of convictions which are not subject to a suspension of sentence, all of which, currently have offenders receiving a suspension from their imposed sentence. According to information from the Department of Public Safety and Corrections, Corrections Services, there are 525 inmates serving suspended sentences for the aforementioned crimes. For those offenders not granted a suspension of sentence, it would cost the state a total of \$23.39 per day per offender (assuming these inmates would remain housed at the local level). Utilizing the current offender figures for suspension of sentences and assuming these offender would have been denied a suspension of sentence, there could be a cost impact of \$12,280 per day or \$4.5 million per year (\$23.39 cost per day * 525 inmates * 365 days).

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate

Dual Referral Rules

House

- 13.5.1 >= \$500,000 Annual Fiscal Cost
- 13.5.2 >= \$500,000 Annual Tax or Fee Change

- 6.8(F) >= \$500,000 Annual Fiscal Cost
- 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease

Robert E. Hosse
LFO Staff Director