

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



Fiscal Note On: **HB 395** HLS 14RS 1128

Bill Text Version: **ENROLLED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

|                                   |         |                                   |
|-----------------------------------|---------|-----------------------------------|
| <b>Date:</b> May 22, 2014         | 7:42 AM | <b>Author:</b> WILLIAMS, A        |
| <b>Dept./Agy.:</b> Judiciary      |         | <b>Analyst:</b> Matthew LaBruyere |
| <b>Subject:</b> Contempt of Court |         |                                   |

COURTS EN SEE FISC NOTE LF EX See Note Page 1 of 1  
Provides relative to penalties for contempt of court

Present law provides a range of monetary penalties and days of imprisonment for each type of contempt and for any subsequent contempt of the same court.

Present law provides that the court may punish a person for any other contempt of court, including disobeying an order for the payment of child support or spousal support or an order for the right of custody or visitation, by a fine of not more than \$500, or imprisonment for not more than three months, or both.

Proposed law provides that, in addition to or in lieu of the penalties provided by present law, the penalties for contempt of court may include court-approved litter abatement or community service, not to exceed the maximum sentence as provided by present law.

| <b>EXPENDITURES</b> | <b>2014-15</b> | <b>2015-16</b> | <b>2016-17</b> | <b>2017-18</b> | <b>2018-19</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         | SEE BELOW      | SEE BELOW      | SEE BELOW      | SEE BELOW      | SEE BELOW      |                      |
| <b>Annual Total</b> |                |                |                |                |                |                      |

| <b>REVENUES</b>     | <b>2014-15</b> | <b>2015-16</b> | <b>2016-17</b> | <b>2017-18</b> | <b>2018-19</b> | <b>5 -YEAR TOTAL</b> |
|---------------------|----------------|----------------|----------------|----------------|----------------|----------------------|
| State Gen. Fd.      | \$0            | \$0            | \$0            | \$0            | \$0            | <b>\$0</b>           |
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| 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**

The proposed legislation may result in a decrease in local fund expenditures. To the extent a person guilty of contempt of court performs litter abatement or community service in lieu of being imprisoned, the local governing authority would see a decrease in costs by not housing the offender. For each day a person is not imprisoned and instead performs litter abatement or community service, the local governing authority would recognize a savings. These savings would depend on the length of sentence imposed and the cost per day for a local law enforcement agency to incarcerate an offender.

**REVENUE EXPLANATION**

The proposed legislation may result in a decrease in local fund revenues. To the extent a person guilty of contempt of court performs litter abatement or community service in lieu of being fined, the local governing authority would see a decrease in revenue by not fining the offender.

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|---|----------------------------|--------------|--|
| <u>Senate</u>   | <u>Dual Referral Rules</u> | <u>House</u> | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}                    |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}       |                            |              | <input type="checkbox"/> 6.8(F)(2) >= \$500,000 State Rev. Reduc. {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*  
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