

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 55** HLS 14RS 162

Bill Text Version: **REENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 1, 2014	9:43 AM	Author: LOPINTO
Dept./Agy.:		Analyst: Stephanie C. Blanchard
Subject: Expungement		

CRIMINAL/PROCEDURE

RE SEE FISC NOTE RV See Note

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Revises provisions of law regarding expungement

Proposed law moves expungement provisions of law from provisions regarding public records to the Code of Criminal Procedure. Present law provides for the expungement of records of arrest and misdemeanor convictions in certain circumstances. Present law provides for the following fees for expungement: (1) The LA Bureau of Criminal Identification and Information may charge \$250. (2) The sheriff may charge \$50. (3) The district attorney may charge \$50. Authorizes the clerk to charge an administrative fee of up to \$200. Proposed law retains present law and makes the fees nonrefundable.

EXPENDITURES	2014-15	2015-16	2016-17	2017-18	2018-19	5 -YEAR TOTAL
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	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0
REVENUES	2014-15	2015-16	2016-17	2017-18	2018-19	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

EXPENDITURE EXPLANATION

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

REVENUE EXPLANATION

Present law provides for amounts of expungement fees that can be charged by the Louisiana Bureau of Criminal Identification and Information, sheriffs, and district attorneys, as well as administrative fees by the clerks of court. Proposed law makes these fees nonrefundable. The impact of the legislation is indeterminable since it is not known how much of these fees was refunded previously. However, the impact should be minimal since these fees were rarely refunded.

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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

Evan Brasseaux
Staff Director