

OFFICE OF FISCAL ANALYSIS

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sHB-5468

AN ACT ESTABLISHING THE CRIME OF HARMFUL COMMUNICATION WITH A MINOR.

As Amended by House "A" (LCO 5812)

House Calendar No.: 388

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 23 \$	FY 24 \$
Correction, Dept.; Judicial Dept. (Probation)	GF - Potential Cost	See Below	See Below
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill creates a new crime of harmful communication with a minor, punishable by a class A misdemeanor and, in the event that violations are charged, results in a potential cost and a potential revenue gain. On average, the marginal cost to the state for incarcerating an offender for the year is \$2,500¹ while the average marginal cost for supervision in the community is less than \$800² each year.

House "A" strikes the underlying bill and its associated fiscal impact

¹ Inmate marginal cost is based on increased consumables (e.g. food, clothing, water, sewage, living supplies, etc.) This does not include a change in staffing costs or utility expenses because these would only be realized if a unit or facility opened.

² Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.

resulting in the impact described above.

The Out Years

The fiscal impact identified above would continue into the future subject to the number of violations.

The preceding Fiscal Impact statement is prepared for the benefit of the members of the General Assembly, solely for the purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.