

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House  
(317) 232-9855

**FISCAL IMPACT STATEMENT**

**LS 6898**  
**BILL NUMBER: SB 396**

**DATE PREPARED:** Dec 26, 2001  
**BILL AMENDED:**

**SUBJECT:** Law Enforcement Officers.

**FISCAL ANALYST:** Karen Firestone  
**PHONE NUMBER:** 317-234-2106

**FUNDS AFFECTED:**  **GENERAL**  
 **DEDICATED**  
**FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** The bill makes it false informing, a Class B misdemeanor, for a person to make a false complaint against a law enforcement officer. The bill also makes it a Class B misdemeanor for a person to direct light from a laser pointer at a State Police motor carrier inspector.

**Effective Date:** July 1, 2002.

**Explanation of State Expenditures:** The definition of false informing would be enhanced to include making a false complaint against a law officer that alleges misconduct while the officer was performing official duties. False informing is a Class B misdemeanor, but may be a Class A misdemeanor if the report substantially hinders any law enforcement process or harms an innocent person. Additionally, a person who knowingly or intentionally directs a laser pointer at a public safety officer commits a Class B misdemeanor. The definition of a public safety officer would be enhanced to include State Police motor carrier inspectors.

If additional court cases occur and fines are collected, revenue to both the Common School Fund and the state General Fund would increase. The maximum fine for a Class B misdemeanor is \$1,000, and the maximum fine for a Class A misdemeanor is \$5,000. Criminal fines are deposited in the Common School Fund. If the case is filed in a circuit, superior, or county court, 70% of the \$120 court fee that is assessed and collected when a guilty verdict is entered would be deposited in the state General Fund. If the case is filed in a city or town court, 55% of the fee would be deposited in the state General Fund.

**Explanation of Local Expenditures:** A Class B misdemeanor is punishable by up to 180 days in jail, and a Class A misdemeanor is punishable by up to one year in jail. The average daily cost to incarcerate a prisoner in a county jail is approximately \$44.

**Explanation of Local Revenues:** If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive

27% of the \$120 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

**State Agencies Affected:**

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:**