

FISCAL NOTE
Requested by Legislative Council
02/16/2017

Amendment to: HB 1170

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2015-2017 Biennium		2017-2019 Biennium		2019-2021 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues			\$540,000	\$(540,000)	\$540,000	\$(540,000)
Expenditures				\$(540,000)		\$(540,000)
Appropriations				\$(540,000)		\$(540,000)

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2015-2017 Biennium	2017-2019 Biennium	2019-2021 Biennium
Counties			
Cities			
School Districts			
Townships			

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill substantially reduces the amount of forfeitures/seizures law enforcement entities can retain when such forfeitures are the result of the commission of a crime. The State Treasurer is to sell such assets at public auction and deposit the funds in the general fund.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

The bill contains fiscal impacts for law enforcement entities. Currently law enforcement can retain items involved or directly related to the commission of a crime. These monies are used by law enforcement for law enforcement related overtime and other law enforcement purposes.

Although the amount is unknown, this bill will also reduce resources available to use for local law enforcement purposes.

The State Treasurer recognizes there will be a fiscal impact on that office to sell forfeited assets at public auction and they're unable to estimate the impact since the amount of forfeiture sales are unknown.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

This bill reduces the revenues law enforcement has available to it to perform its work. For the Highway Patrol, this would result in revenue reductions up to \$300,000 per biennium. For the Office of Attorney General, this would result in revenue reductions up to \$200,000 per biennium. This bill reduces the Game and Fish Report All Poachers (RAP) revenues by an estimated \$40,000 per biennium. Revenue impacts to other law enforcement are unknown. This bill mandates the revenues from these seizures be deposited in the general fund.

- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

Law enforcement expenditures will be reduced as a result of this bill. For the Office of Attorney General this could reduce expenditures up to \$200,000 per biennium. The Highway Patrol's expenditures could be reduced up to \$300,000 per biennium. The Game and Fish Report all Poachers (RAP) program's expenditures will be reduced by about \$40,000. Expenditure reductions for other law enforcement are unknown.

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

The Office of Attorney General and the Highway Patrol have continuing appropriations for the funds resulting from forfeitures due to the uncertainty of the availability of the funds and the needs for which the funds need to be spent. Game and Fish's appropriations will also be reduced due to this bill.

Name: Kathy Roll

Agency: Office of Attorney General

Telephone: 328-3622

Date Prepared: 02/16/2017