

FISCAL NOTE
Requested by Legislative Council
12/23/2016

Bill/Resolution No.: SB 2121

- 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			\$30,000	\$(30,000)	\$30,000	\$(30,000)
Expenditures						
Appropriations						

- 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 consolidates several fees assessed in criminal cases and then allocates the associated revenues collected to identified funds based on a set percentage rather than a specific dollar amount assessed for each fee.

- 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.*

Section 1 takes away the continuing appropriation authority for the restitution collection assistance fund. The Court System collects approximately \$30,000 per biennium from this revenue source. The funding is used to defray expenses incident to the collection of restitution. The funding would go to the State General Fund.

Section 2 increases the court administration fees assessed based on the criminal charge. The revised fees would replace the community service supervision fee and the additional \$100 court administration fee assessed in all criminal cases except infractions. Revenues collected from the revised fees would be allocated to the State General Fund, indigent defense administration fund, court facilities improvement fund and community service supervision fund based on the percentages outlined in Section 2.

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.*

The proposed fee change and percentage allocation is based on actual revenues received over a five year period in order to keep the funds revenue neutral. The only impact would be the loss of revenue to the restitution collection assistance fund which is offset by an equal increase in State General Fund revenues.

Marsy's law was implemented on December 15, 2016. This law changes the priority schedule for applying moneys collected to the various fees assessed. Restitution was moved from the number 4 funding priority to the number 1 priority. It is possible that the change in the priority schedule will have an impact on the criminal fees identified in this bill, but that impact cannot be determined.

- 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.*
- 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.*

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