

FISCAL NOTE

(Return in triplicate)

Bill/Resolution No.: SB 2524 Amendment to: \_\_\_\_\_

Requested by Legislative Council Date of Request: 1-26-93

1. Please estimate the fiscal impact (in dollar amounts) of the above measure for state general or special funds, counties, and cities.

Narrative:

See Attached Narrative

2. State fiscal effect in dollar amounts:

	<u>1991-93</u> <u>Biennium</u>		<u>1993-95</u> <u>Biennium</u>		<u>1995-97</u> <u>Biennium</u>	
	<u>General</u> <u>Fund</u>	<u>Special</u> <u>Funds</u>	<u>General</u> <u>Fund</u>	<u>Special</u> <u>Funds</u>	<u>General</u> <u>Fund</u>	<u>Special</u> <u>Funds</u>
Revenues:			\$2,226,799		\$5,650,936	
Expenditures:			-0-		-0-	

3. What, if any, is the effect of this measure on the appropriation for your agency or department:

- a. For rest of 1991-93 biennium: \_\_\_\_\_
- b. For the 1993-95 biennium: -0-
- c. For the 1995-97 biennium: -0-

4. County and City fiscal effect in dollar amounts:

	<u>1991-93</u> <u>Biennium</u>		<u>1993-95</u> <u>Biennium</u>		<u>1995-97</u> <u>Biennium</u>	
	<u>Counties</u>	<u>Cities</u>	<u>Counties</u>	<u>Cities</u>	<u>Counties</u>	<u>Cities</u>
Revenue Loss	-0-	-0-	(\$1,141,379)		(\$4,565,516)	

If additional space is needed, attach a supplemental sheet.

Signed Keith E. Nelson

Typed Name Keith E. Nelson

Department Supreme Court

Phone Number 224-4216

Date Prepared: 1/28/93

S. B. No. 2524 would generally increase civil filing fees by \$30 with the increase deposited in the general fund; would establish a \$20 filing fee to be deposited in the general fund for motions to modify certain orders; and would transfer, effective January 2, 1995, county revenue derived from bond forfeitures and court administration fees to the state general fund. The filing fee modifications, in becoming effective on the effective date of the bill, would generate state general fund revenue for the 1993-95 biennium and each biennium thereafter. The administration fee and bond forfeiture transfer, in becoming effective on January 2, 1995, would generate state general fund revenue for the last six months of the 1993/95 biennium and for each biennium thereafter.

Based upon 1991 statistics and excluding small claims actions and divorce proceedings, there were 9,466 civil filings in county court and 15,276 civil filings in district court for a combined total of 25,192. Assuming a waiver of filing fees on 50% of district court filings, the number of filings for which the \$30 fee increase would be collected is reduced to 17,329. This results in state general fund revenue in the amount of \$519,870 annually or \$1,039,740 per biennium.

Based upon 1991 statistics, there were 11,420 proceedings in which motions to modify could be filed and for which the \$20 fee could be assessed. There is no present statistical base which indicates the number of motions to modify that are filed yearly. Assuming that motions to modify upon which the \$20 fee could be collected are filed in 10% of the proceedings, this would result in state general fund revenue of \$22,840 annually (1,142 x 20) or \$45,680 per biennium (1,142 x 20 x 2).

Based upon a survey of county court related revenues and expenditures, court administration fees assessed in 1991 amounted to \$949,490. Assuming this figure remains constant, a transfer of this fee revenue to the state general fund beginning January 2, 1995, would amount to \$474,745 for the last six months of the 1993/95 biennium (\$949,490 divided by 2) and \$1,898,980 for the 1995/97 biennium (\$949,490 x 2).

Based upon the same survey mentioned above, bond forfeiture revenues in county court in 1991 amounted to \$1,333,268. Assuming this figure remains constant, a transfer of this revenue to the state general fund beginning January 2, 1995, would amount to \$666,634 for the last six months of the 1993/95 biennium (\$1,333,268 divided by 2) and \$2,666,536 for the 1995/97 biennium (\$1,333,268 x 2).