

FISCAL NOTE

(Return original and 10 copies)

Bill/Resolution No.: \_\_\_\_\_ Amendment to: Reeng. SB 2232

Requested by Legislative Council Date of Request: 03/25/97

- 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.

- 2. State fiscal effect in dollar amounts:

Table with 6 columns: 1995-97 Biennium (General, Special), 1997-99 Biennium (General, Special), 1999-2001 Biennium (General, Special). Rows: Revenues, Expenditures.

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

- a. For rest of 1995-97 biennium: 0
b. For the 1997-99 biennium: 0
c. For the 1999-2001 biennium: 0

- 4. County, City, and School District fiscal effect in dollar amounts:

Table with 9 columns: 1995-97 Biennium (Counties, Cities, School Districts), 1997-99 Biennium (Counties, Cities, School Districts), 1999-2001 Biennium (Counties, Cities, School Districts). Values: 0, 0, 0, \$713,940, 0, 0, \$713,940, 0, 0.

If additional space is needed, attach a supplemental sheet.

Signed [Signature]

Typed Name Keithe E. Nelson

Date Prepared: 3/26/97

Department Judicial Branch

Phone Number 328-4216

**Narrative:**

The hoghouse amendment to Reengrossed Senate Bill No. 2232 would reduce the current filing fee for general civil actions from \$80 to \$60 and would change the current distribution of filing fee revenue. The current distribution of the present \$80 fee (effective July 1, 1997) is: General Fund - \$50; Civil Legal Services Fund - \$10; Counties - \$20. Distribution of the reduced \$60 filing fee under the proposed amendment would be: General Fund - 0; Civil Legal Services Fund - \$10; Counties - \$50.

There were 23,715 civil filings in 1996. The amendment to SB No. 2232 would affect approximated 11,899 of these filings. Subtracted from the 23,715 filings figure are 2,861 divorce filings, which are not affected by the amendment; 1,097 adult abuse filings and 5,486 child support proceedings, for which a filing fee is normally not received; and 2,372 civil filings, which represent an estimated 10% of all filings for which the fee is waived for indigency. Therefore: 23,715 total 1996 filings - 2,861 (divorce) - 1,097 (abuse) - 5,486 (child support) - 2,372 (waivers) = 11,899 filings that will likely be affected by the amendment.

Based on 11,899 filings, the filing fee revenue and current distribution would be approximately as follows: General Fund - \$594,950 per year or \$1,189,900 per biennium (11,899 filings X \$50 X 2); Civil Legal Services Fund - \$118,990 per year or \$237,980 per biennium (11,899 filings X \$10 X 2); Counties - \$237,980 per year or \$475,960 per biennium (11,899 filings X \$20 X 2). Under the amendment to Reengrossed Senate Bill No. 2232, the filing fee revenue and distribution would be approximately as follows: General Fund - 0; Civil Legal Services Fund - \$118,990 per year or \$237,980 per biennium (11,899 filings X \$0 X 2); Counties - \$594,950 per year or \$1,189,900 per biennium (11,899 filings X \$50 X 2).

In summary, the net effect of the amendment to Reengrossed Senate Bill No. 2232, in reducing the general civil filing fee from \$80 to \$60 and changing the distribution of filing fee revenue, would be as follows: General Fund revenue from filing fees would be reduced by about \$1,189,900 per biennium. County revenue from filing fees would increase to about \$1,189,900 per biennium, which would represent a net increase in County revenue of about \$713,940 per biennium - the difference between county revenue generated by the current distribution of \$20 of each filing fee to the county and the distribution of \$50 of each filing fee under the amendment (net gain of \$30 per filing or 11,899 filings X \$30 X 2 = \$713,940).