

## FISCAL NOTE

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Bill/Resolution No.: HB 1458 Amendment to: \_\_\_\_\_

Requested by Legislative Council

Date of Request: 1/20/99

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 sheet.

2. **State** fiscal effect in dollar amounts:

	1997-99 Biennium		1999-2001 Biennium		2001-03 Biennium	
	General Fund	Special Funds	General Fund	Special Funds	General Fund	Special Funds
Revenues:	0	0	-\$744,000	0	-\$744,000	0
Expenditures:	0	0	0	0	0	0

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

- a. For rest of 1997-99 biennium: 0
- b. For the 1999-2001 biennium: 0
- c. For the 2001-2003 biennium: 0

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

1997-99 Biennium			1999-2001 Biennium			2001-03 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
0	0	0	+\$744,000	0	0	+\$744,000	0	0

If additional space is needed, attach a supplemental sheet.

Signed 

Typed Name Keith E. Nelson

Date Prepared: 1/25/99

Department Judicial Branch

Phone Number 328-4216

Section 5 of House Bill 1458 would amend NDCC 11-17-04, which governs filing fees received by clerks of court and the manner in which the filing fee revenue is distributed. Under section 11-17-04, as it will read effective April 1, 1999, \$65 of each general civil filing fee would be deposited in the state general fund. There are approximately 12,400 general civil filings per year or 24,800 filings per biennium. Therefore, approximately \$1,612,000 in general civil filing fee revenue would be deposited in the state general fund during a biennium under section 11-17-04 as it will read effective April 1, i.e., \$65 per filing x 12,400 filings per year x 2 years = \$1,612,000.

Section 5 of House Bill 1458 would amend section 11-17-04 to provide that ~~\$35~~, rather than \$65, of each general civil filing fee would be deposited in the state general fund, with the remaining \$30 retained by the counties. This would result in a state general fund deposit of general civil filing fee revenue of approximately \$868,000 per biennium, i.e., \$35 per filing x 12,400 filings per year x 2 years = \$868,000. This would represent a net loss to the state general fund of \$744,000 per biennium, i.e., \$1,612,000 per biennium at \$65 per filing minus \$868,000 per biennium at \$35 per filing = \$744,000. The amendment would result in a net gain to the counties of \$744,000 per biennium, i.e., \$30 per filing x 12,400 filings per year x 2 years.