

FISCAL NOTE
Requested by Legislative Council
01/17/2013

Revised
Amendment to: SB 2078

- 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.*

	2011-2013 Biennium		2013-2015 Biennium		2015-2017 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$1,086,000	\$(840,500)	\$1,086,000	\$(840,500)
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

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

	2011-2013 Biennium	2013-2015 Biennium	2015-2017 Biennium
Counties	\$0	\$(133,000)	\$(133,000)
Cities	\$0	\$0	\$0
School Districts	\$0	\$0	\$0
Townships	\$0	\$0	\$0

- 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 \$55,000 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 3 sets court administration fees for criminal cases. In addition, revenues for the indigent defense administration fund, court facilities improvement fund, victim witness programs and community service supervision fund would be allocated based on the percentages outlined in subsection 2. A single criminal court fee would replace the facility, community service supervision and victim witness fees.

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. By removing the Court System's continuing appropriation authority for the restitution collection assistance fund, State General Fund revenues would increase approximately \$55,000 per biennium. Based on estimated collection rates, the rate changes for the criminal fees would increase overall revenues by approximately \$112,500. However, the percentage allocation outlined in Section 3 would result in approximately \$970,000 of facility, community service supervision and victim witness fees being redirected to 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.*
- 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 is also included in the executive budget or relates to a continuing appropriation.*

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