

FISCAL NOTE
Requested by Legislative Council
12/21/2018

Bill/Resolution No.: HB 1070

- 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.*

| | 2017-2019 Biennium | | 2019-2021 Biennium | | 2021-2023 Biennium | |
|-----------------------|--------------------|-------------|--------------------|-------------|--------------------|-------------|
| | General Fund | Other Funds | General Fund | Other Funds | General Fund | Other Funds |
| Revenues | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Expenditures | \$0 | \$0 | \$5,000 | \$0 | \$5,000 | \$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.*

| | 2017-2019 Biennium | 2019-2021 Biennium | 2021-2023 Biennium |
|-------------------------|--------------------|--------------------|--------------------|
| Counties | \$0 | \$0 | \$0 |
| 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).*

Changes the responsibility for payment of witness fees and other expenses incurred by fact witnesses subpoenaed by indigent defense attorneys, in proceedings under NDCC Chapter 27-20 (the uniform juvenile court act) from the Attorney General to the Commission.

- 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.*

Currently, the attorney general is responsible for paying the witness fees, mileage, and travel expenses incurred by fact witnesses in proceedings under Chapter 27-10 of the NDCC (the uniform juvenile court act). This bill would change that as to fact witnesses subpoenaed for juvenile court proceedings by indigent defense attorneys (attorneys employed by or contracted with the Commission to provide indigent defense services in such cases). In cases in which the Commission provides indigent defense services, the Commission, rather than the Attorney General, would pay the witness fees and expenses for the witnesses subpoenaed by counsel employed by or contracted with the Commission.

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.*

n/a

- 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.*

Very little fiscal effect is expected - less than \$5000 per biennium. There haven't been many requests to the Attorney General for payment of these fees in indigent defense cases.

- 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.*

n/a

Name: H Jean Delaney

Agency: NDCLCI

Telephone: 701-845-8632

Date Prepared: 12/26/2018