

# FISCAL NOTE

Requested by Legislative Council  
12/16/2002

Bill/Resolution No.: SB 2044

1A. **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.*

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>				\$161,000		\$161,000
<b>Expenditures</b>						
<b>Appropriations</b>						

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

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
			\$641,000			\$641,000		

2. **Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

This bill proposes that the court shall impose as costs the greater of the sum of ten dollars or an amount equal to twenty-five percent of the amount of restitution ordered. The state-employed clerks of district court shall remit the funds collected to the state treasurer for deposit in the restitution collection assistance fund.

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.*

Data was collected from state funded clerks representing 75% of the caseload for October, 2002. Extrapolating to the remaining state funded counties, it is projected that in the biennium there would be:

4,600 cases with \$640,000 in restitution ordered. The average restitution per case is \$140. The average assessment would be  $\$35 \times 4,600 \text{ cases} = \$161,000$ .

Footnote to 1B - County Revenues - Data was collected from counties representing 72% of the caseload where the state's attorney collected the restitution or the clerk is a county employee. The data was collected for the month of October, 2002. Extrapolating to the remaining counties, it is projected that in a biennium there would be:

10,512 cases with \$2,592,000 in restitution ordered. The average restitution order was \$246. The average assessment would be  $\$61 \times 10,512 = \$641,000$  to the counties.

**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, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

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**Agency:** ND Supreme Court  
**Date Prepared:** 12/20/2002