

# FISCAL NOTE

Requested by Legislative Council  
03/21/2005

**REVISION**

Amendment to:            HB 1290

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.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures			\$592,800		\$593,000	
Appropriations						

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

2003-2005 Biennium			2005-2007 Biennium			2007-2009 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

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

HB 1290 provides for random drug testing of individuals charged with a felony violation of N.D.C.C. Ch. 19-03.1 and 19-04.3. The computations for the testing are based on an arbitrary figure of 75% of the indigent defendants not having monies for regular drug testing and it being the responsibility of the state to pay for drug tests. Historically, 93% of all felony defendants are determined to be indigent. In 2004, 1,318 will be indigent based on this 93% figure. Estimating that 75% of these indigent defendants will not have funds for the testing, 988 defendants will have to be tested at state expense. The docket currency standards provide that all felony cases must be disposed of within 180 days (26 weeks). The calculation for the testing is based on one test per week being administered for a total of 20 weeks at a price of \$15 per test. This will represent 19,760 tests being administered per year for an annual cost of \$296,400 or \$592,800 for the 2005-07 biennium.

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.*

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:** 03/21/2005