

FISCAL NOTE
HOUSE BILL NO. 1310
LC# 25.0105.01000
01/21/2025
Revised - 01/21/2025

1 - 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.

	2023-2025 Biennium		2025-2027 Biennium		2027-2029 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues			\$(4,240,000)	\$(4,546,200)	\$(4,240,000)	\$(4,546,200)
Expenditures			\$4,546,200	\$(4,546,200)	\$4,546,200	\$(4,546,200)
Appropriations						

2 - County, City, School District, and Township Fiscal Effect

Identify the fiscal effect on the appropriate political subdivision.

	2023-2025 Biennium	2025-2027 Biennium	2027-2029 Biennium
Counties			
Cities			
School Districts			
Townships			

3 - Bill and Fiscal Impact Summary

Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).

Relates to the costs of a defendant's prosecution, the cost of a presentence investigation and report, reimbursement of indigent defense costs and expenses, the fee for the indigent defense services application, the court administration fee, and the community service supervision fee.

4 - Fiscal Impact Sections Detail

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.

1) DOCR: Page 4, section 10. Removes PSI fee. DOCR completed 408 PSI's from 1/1/23 to 12/31/2024, resulting is \$20,400 in lost revenue, which we anticipate only receiving \$13,400 of this amount due to only estimating collecting 66% of these fees.

Page 5, section 2 removes \$55/month supervision fee charge. DOCR bills approximately \$6 million in supervision fees per biennium with a collection rate of around 25% or \$1,500,000. DOCR addressed the loss of special fund revenue of \$1.5 million by switching needs for general funds in SB 2015.

2) ND State's Attorney Association responded that they don't see any financial impact to their association or members as they very rarely, if ever, seek reimbursement of prosecution expenses.

3) ND Attorney General's Office does not not believe this bill will impact their agency.

4) The Judicial Branch fiscal impact sections in HB 1310 are as follows:

Section 4(8) repeals indigent defense recoupment resulting in a \$340,000 general fund reduction in revenues.

Section 5 repeals the indigent defense application fee resulting in a \$310,000 special fund reduction to the indigent defense administration fund. Section 6 (1) repeals court administration fees resulting in a \$3.9 million general fund reduction in revenues.

Section 6 (2) repeals the \$100 court administration fee resulting in a \$1,168,000 reduction in special fund revenues to the indigent defense administration fund and a \$878,000 reduction in special fund revenues to the court facilities improvement and maintenance fund. Section 6 (3) repeals the community service supervision fee resulting in a \$16,800 special fund reduction to the community service supervision fund. Section 11 repeals NDCC section 27-01-10 relating to the crime victim and witness fee resulting in a special fund revenue reduction of \$660,000 for crime victim witness programs.

5 - Revenues Detail

For information shown under state fiscal effect in 1 or 2, please explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

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6 - Expenditures Detail

For information shown under state fiscal effect in 1 or 2, please explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

Adults under supervision face many financial obligations due to their offense, including fines, court fees and costs, and restitution. The client/Parole Officer relationship could be improved if the parole officer and other office staff didn't have to remind the clients of their supervision fees each meeting. Having to discuss this financial obligation takes time away from addressing more pertinent issues such as substance use recovery, improving family relationships, employment, and skill building. As well, clients on parole and probation face huge obstacles finding and keeping stable employment that meets their financial needs.

Supervision fees may be added to the violation allegations at a revocation hearing, but they do not play a part in the reason officers are filing for revocation. These balances are referred to collections. Our collection rate is around 25% for supervision fees.

Necessary resources for implementation: DOCR will need general funds for the loss of special fund collections to continue to pay for transport officer salaries. This was proposed in SB2015.

7 - Appropriations Detail

For information shown under state fiscal effect in 1 or 2, please 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.

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Date Prepared: 01/19/2025