

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2632-01
Bill No.: HB 1088
Subject: Crimes and Punishment; Criminal Procedure; Judges
Type: Original
Date: April 6, 2007

Bill Summary: The proposal establishes a priority for the payment of money owed by defendants in criminal prosecutions.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
General Revenue	\$0	(Less than \$100,000)	(Less than \$100,000)
Total Estimated Net Effect on General Revenue Fund	\$0	(Less than \$100,000)	(Less than \$100,000)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
State School Moneys	\$0	\$0	\$0
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Local Government	(Less than \$100,000)	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Labor and Industrial Relations** assume the proposal would have no fiscal impact on their agency.

Officials from the **Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on the courts.

Officials from the **Department of Elementary and Secondary Education (DESE)** assume the payment priority structure may reduce the amount of fine revenue which school districts have been accustomed to receiving. DESE assumes it is not possible to estimate by what amount fine revenues may decrease.

Oversight assumes the decrease in fine revenue to school districts would be less than \$100,000 per year.

<u>FISCAL IMPACT - State Government</u>	FY 2008 (10 Mo.)	FY 2009	FY 2010
GENERAL REVENUE FUND			
<u>Transfers out</u> – To state school moneys fund	<u>\$0</u>	<u>(Less than \$100,000)</u>	<u>(Less than \$100,000)</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>\$0</u>	<u>(Less than \$100,000)</u>	<u>(Less than \$100,000)</u>

FISCAL IMPACT - State Government
 (continued)

FY 2008
 (10 Mo.)

FY 2009

FY 2010

STATE SCHOOL MONEYS FUND

Transfers in – From general revenue fund

\$0

Less than
 \$100,000

Less than
 \$100,000

Costs – Increased distributions to school districts

\$0

(Less than
 \$100,000)

(Less than
 \$100,000)

**ESTIMATED NET EFFECT ON
 STATE SCHOOL MONEYS FUND**

\$0

\$0

\$0

FISCAL IMPACT - Local Government

FY 2008
 (10 Mo.)

FY 2009

FY 2010

POLITICAL SUBDIVISIONS

Revenues – School districts

Increased distribution from state
 school moneys fund

\$0

Less than
 \$100,000

Less than
 \$100,000

Losses – School districts

Reduced fine revenues

(Less than
 \$100,000)

(Less than
 \$100,000)

(Less than
 \$100,000)

**ESTIMATED NET EFFECT ON
 POLITICAL SUBDIVISIONS**

**(Less than
 \$100,000)**

\$0

\$0

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

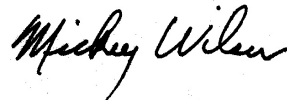
The proposed legislation establishes the following priority for the payment of money owed by defendants in criminal prosecutions:

1. Restitution;
2. Crime Victim Compensation Fund surcharge;
3. Any court costs or fees; and
4. Fines.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of State Courts Administrator
Department of Elementary and Secondary Education
Department of Labor and Industrial Relations



Mickey Wilson, CPA
Director
April 6, 2007