

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0414-02
Bill No.: HB 183
Subject: Courts; Fees
Type: Original
Date: January 22, 2015

Bill Summary: This proposal allows Howell County to provide for additional court costs to fund a justice center for the county.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
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 2016	FY 2017	FY 2018
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Total Estimated Net Effect on FTE	0	0	0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any Of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Local Government	Less than \$50,000	Less than \$60,000	Less than \$60,000

FISCAL ANALYSIS

ASSUMPTION

Officials at the **Office of the State Courts Administrator** assume the proposed legislation provides that Howell County shall collect a ten dollar surcharge in criminal cases to be used for a criminal justice center. Based on the average data from FY 2010 through FY 2014, there were approximately 3,949 filed guilty pleas. We anticipate the surcharge would be approximately \$39,490 in any given year.

Oversight assumes the surcharge is being paid by the defendant and will therefore have no fiscal impact to the state from this legislation.

Officials at **Howell County** assume a projected income of \$60,000 with no or nominal expense to the county.

Oversight assumes that once this legislation has passed, collection of the additional court costs can take place immediately. An action by the governing authorities in Howell County will need to approve a plan for the justice center and then begin the process of construction. Oversight assumes there will be several years of collection of the additional court costs that will take place before the expenditures will start to show for the justice center. Therefore, Oversight will reflect a \$0 cost for Howell County since the expenditures will be outside of this fiscal note period. Once the expenditures take place, the distribution of income and cost should net to zero.

Officials at the City of West Plains did not respond to **Oversight's** request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
HOWELL COUNTY FUNDS			
<u>Revenue</u> - \$10 surcharge for criminal justice center	Less than <u>\$50,000</u>	Less than <u>\$60,000</u>	Less than <u>\$60,000</u>
ESTIMATED NET EFFECT ON HOWELL COUNTY FUNDS	Less than <u>\$50,000</u>	Less than <u>\$60,000</u>	Less than <u>\$60,000</u>

FISCAL IMPACT - Small Business

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

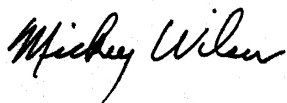
FISCAL DESCRIPTION

This bill specifies that in addition to all court fees and costs, a surcharge of \$10 must be assessed as costs in each criminal proceeding filed in Howell County except in any proceeding when the proceeding or defendant has been dismissed by the court or the costs are to be paid by the state, county, or municipality. For violations of the criminal laws of the state or county ordinances, including infractions, a surcharge must not be collected unless it is authorized by the municipal government where the violation occurred. The moneys collected from the surcharge must be deposited into a Justice Center Fund and only be used for the costs associated with the land assemblage and purchase, planning and construction, maintenance, and operation of any county or municipal judicial facility or justice center.

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 the State Courts Administrator
Howell County



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