



OFFICE OF LEGISLATIVE AUDITOR
Fiscal Note

Fiscal Note On: HB 1107 HLS 14RS 1979
Bill Text Version: ORIGINAL
Opp. Chamb. Action:
Proposed Amd.:
Sub. Bill For.:

Date: April 23, 2014 4:54 PM Author: CONNICK
Dept./Agy.: Certain District and Parish Courts Analyst: Ryne Young
Subject: Additional Court Costs for Alcohol Related Offenses

COURTS/DISTRICT OR INCREASE LF RV See Note Page 1 of 2
Authorizes the collection of court costs in all district and parish courts to fund certain specialized divisions

Purpose of Bill: This bill authorizes district courts with a specialized alcohol division, parish courts with a specialized alcohol division, and parish courts that are within a judicial district having a specialized alcohol division to impose six additional court costs (ranging from \$25 to \$100) on defendants convicted of an alcohol-related offense. Money generated from these court costs are to be used to fund the alcohol/driving while intoxicated divisions and any treatment programs and administrative expenses associated with the programs.

State law (R.S. 13:62) requires these court costs to be reviewed by the Judicial Council and a recommendation be provided to the legislature prior to the enactment of the court costs. An official with the Louisiana Supreme Court indicated that these court costs were not reviewed by the Judicial Council.

Table with 7 columns: EXPENDITURES, 2014-15, 2015-16, 2016-17, 2017-18, 2018-19, 5-YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total.

Table with 7 columns: REVENUES, 2014-15, 2015-16, 2016-17, 2017-18, 2018-19, 5-YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total.

EXPENDITURE EXPLANATION

Based on limited data, it appears that this bill may increase local governmental expenditures by at least \$300,000 annually as funds are spent for the purposes provided in the bill.

This bill provides requirements for the spending of the new court cost proceeds. Local government expenditures could increase as the courts spend the proceeds in accordance with the bill.

Also, there could be some additional expenditures incurred (personnel, software, etc.) to collect these new court costs, but we were unable to determine the exact fiscal impact on these expenditures. However, we spoke with an official with the Jefferson Parish Sheriff's Office in an attempt to obtain some information regarding these expenditures. This official indicated that the cost of collecting these new court costs is expected to have a minimal impact on the expenditures of his office.

REVENUE EXPLANATION

This bill may increase local governmental revenues by indeterminable amount.

Based on information obtained from various sources, it appears that this bill applies to 6 district courts (4th, 14th, 16th, 22nd, 24th, and 32nd) and 1 parish courts (Jefferson Parish). While we were unable to obtain data necessary to determine the exact fiscal impact of this bill, we were able to obtain enough data to provide some potential fiscal impact information for the courts.

4th Judicial District Court (Parishes of Morehouse and Ouachita) - We obtained information from the District Attorney's Office which indicates that the JDC had on average 1,584 convictions for offenses referenced in the bill between 2010 and 2012. Using this information, we estimate that these new court costs may generate approximately \$113,100 annually.

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- Senate Dual Referral Rules House
[] 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
[X] 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}
[] 6.8(F)(2) >= \$500,000 State Rev. Reduc. {H & S}
[] 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}
[] 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Signature of Tom Cole
Tom Cole
Director of Financial Audit



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CONTINUED EXPLANATION from page one:

14th Judicial District Court (Calcasieu Parish) - We were unable to obtain data necessary to determine the exact fiscal impact of this bill on the 14th JDC. However, we obtained information from the District Attorney's Office which indicates that 1,275 filings related to some of the offenses referenced in the bill in 2013. Using this information, we estimate that this bill could generate approximately \$57,500 annually for the JDC for those offenses for which information was provided.

It should be noted that historical DWI charges (1,293 charges in 2013) was provided to us for the JDC and two city courts. These charges are not included in the revenue estimate provided above as we were unable to separate city court charges from JDC charges.

16th Judicial District Court (Parishes of Iberia, St. Martin, and St. Mary) - We were unable to obtain data necessary to determine the fiscal impact of this bill on the 16th JDC.

22nd Judicial District Court (Parishes of St. Tammany and Washington) - We were unable to obtain data necessary to determine the exact fiscal impact of this bill on the 22nd JDC. However, we obtained information from the St. Tammany Parish Clerk of Court which indicates that St. Tammany Parish had on average 1,440 convictions for some of the offenses referenced in the bill between 2011 and 2013. Using this information, we estimate that this bill could generate approximately \$134,600 annually for the JDC in St. Tammany Parish for those offenses for which information was provided.

It should be noted that these figures do not contain information regarding offenses in Washington Parish.

24th Judicial District Court (Jefferson Parish) - An official with the JDC estimates that this bill may generate approximately \$7,500 in fiscal year 2014-15 (based on 121 case filings) and \$6,400 annually thereafter (based on 103 case filings). However, these estimates were based on total filings rather than convictions as conviction data was not available. Therefore, the exact fiscal impact of this bill is indeterminable, and will depend on conviction rates.

32nd Judicial District Court (Terrebonne Parish) - An official with the JDC estimates that this bill may generate approximately \$48,100 in fiscal year 2014-15 (for 11 months of collections) and increasing to approximately \$55,600 by fiscal year 2018-19. This is based on 671 convictions for offenses referenced in the bill for 2013 with convictions increasing by 2% annually after fiscal year 2015-16.

Jefferson Parish Court - We were unable to obtain information necessary to determine the exact fiscal impact of this bill on the parish court. However, we obtained information from the Clerk of Court's office which indicates that the parish court had on average 632 case filing for some of the offenses referenced in the bill for 2012 and 2013. Using this information, we estimate that this bill could generate approximately \$50,600 annually, depending on conviction rates, for those offenses for which information was provided.

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