



OFFICE OF LEGISLATIVE AUDITOR
Fiscal Note

Fiscal Note On: HB 54 HLS 14RS 569
Bill Text Version: REENGROSSED
Opp. Chamb. Action: W/ SEN FLOOR AMD
Proposed Amd.:
Sub. Bill For.: REVISED

Table with metadata: Date: May 14, 2014 1:53 PM; Author: JAMES; Dept./Agy.: City or municipal courts with specialized divisions; Subject: Additional court costs for alcohol related violations; Analyst: Anne Burns

CRIMINAL/PROCEDURE REF +\$74,950 LF RV See Note Page 1 of 1
Authorizes the designation of specialized divisions or sections in city or municipal courts

Purpose of Bill: This measure requires any city or municipal court that operates an alcohol, DWI or sobriety court to impose the following costs for alcohol related violations: (1) \$100 for a DWI violation, (2) \$100 for reckless operation of a vehicle, (3) \$50 for contributing to the delinquency of juveniles, unlawful sales to persons under age 21, or purchase and possession of alcohol or misrepresentation of age to obtain alcohol by persons under 21, (4) \$25 for public possession or consumption of alcohol, public intoxication, disturbing the peace or vagrancy, (5) \$25 for a violation of open alcoholic beverage containers in a vehicle, and (6) \$25 for all other felony, misdemeanor, or municipal ordinance convictions where the use of alcohol was a factor in the crime. Fines collected, which are limited to those provided in this measure, are to be used for funding the specialized division and treatment programs and administrative expenses. As required by state law (R. S. 13:62), these additional court costs were reviewed by the Judicial Council, which provided a recommendation to the legislature.

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

There is no anticipated direct material effect on governmental expenditures as a result of this measure.

According to an official with the Baton Rouge City Court, there is no impact on expenditures of the Court due to this legislation because the sobriety court is already operating. Personnel additions are not anticipated and operational costs will remain at the present level for the foreseeable future.

REVENUE EXPLANATION

This measure may increase local fund revenue of the Baton Rouge City Court by approximately \$74,950 annually. The re-engrossed bill may cause revenues to increase by \$161,950. However, as amended, there may be a decrease of \$87,000 in current revenue, resulting in a net increase of \$74,950 annually.

This revenue is specific to Baton Rouge City Court because it appears to be the first and only municipal court in the state that has created a specialty division (a sobriety/DWI court) (according to an official at the Court). The City Court official estimates a revenue increase of \$161,950 as a result of this re-engrossed bill. This estimate is based on an average of the number of guilty pleas for the offenses listed (2012 and 2013 occurrences of approximately 3,300 per year) and the additional costs proposed in this bill. The official expects similar numbers will occur in future years.

According to our contact with the Baton Rouge City Court, the provision/amendment that no additional fees, charges, or assessments shall be required or charged to participate in the division or any related treatment program may decrease revenue by \$87,000 annually. Currently, the sobriety court program charges a fee to participants to defray the costs of operating the program, which generates an estimated \$87,000 annually.

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

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