

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 216** HLS 21RS 533

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 13, 2021	1:48 PM	Author: DUPLESSIS
Dept./Agy.: Judicial Districts		Analyst: Rebecca Robinson
Subject: Court costs - Juveniles		

CHILDREN

EG DECREASE SG RV See Note

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Provides relative to the imposition of court costs in proceedings involving children

Proposed law provides that no juvenile courts shall assess costs against any juvenile. Provides that children are assumed to be indigent. Further provides that juveniles shall not be assessed costs/fees for witness fees, a court appointed attorney, a physical or mental examination, parole or probation supervision fees, participation in a youth court program, and medical care. Exempts fines or restitution related to juvenile delinquency cases; as well as fines or involving traffic violations or child support cases.

EXPENDITURES	2021-22	2022-23	2023-24	2024-25	2025-26	5 -YEAR TOTAL
State Gen. Fd.	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						
REVENUES	2021-22	2022-23	2023-24	2024-25	2025-26	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Annual Total						

EXPENDITURE EXPLANATION

There is no anticipated direct material effect of governmental expenditures as a result of this measure. While proposed law does not directly impact state or local governmental expenditures, it does eliminate revenues used to support certain functions within multiple state and local agencies (see revenue discussion below). OJJ reports that it expends approximately \$138,484 annually in manpower to collect and process fees. The LFO assumes costs associated with this activity will no longer be necessary with enactment of proposed law.

Note: To the extent the legislature continues to fund other state activities in impacted agencies at the same level in subsequent fiscal years, the funding sources supporting the base expenditures must be replaced by SGF or another revenue source to supplant the lost revenues generated by administrative fees, costs, and taxes related to juvenile delinquency. These activities would compete for annual SGF resources along with other significant SGF supported services. Likewise, local agencies would require local governing authorities to supplant any loss of funds from general operating revenues in order to maintain current activity levels.

REVENUE EXPLANATION

There will be a decrease in self-generated revenues to the Office of Juvenile Justice (OJJ) as a result of the proposed measure. OJJ currently collects revenue related to Supervision Fees and Costs of Care and Treatment for juveniles in custody. Proposed law eliminates the assessment of those fees/costs. If enacted, OJJ will either be required to make a reduction in expenditures associated with community based services offered to juveniles under its supervision or receive a replacement appropriation (presumed to be SGF) to maintain those services at current levels.

For illustrative purposes, OJJ reports an approximate average of \$469,511 collected in fees for Cost of Care and Supervision in FY 19 and FY 20.

	Supervision Fees	Cost of Care Reimbursement	Total Collected
FY 19	\$93,805	\$350,108	\$443,913
FY 20	<u>\$83,112</u>	<u>\$411,996</u>	<u>\$495,108</u>
Average	\$88,459	\$381,052	\$469,511

There will be an indeterminable decrease in self-generated revenues to District Attorneys, the Louisiana Public Defender Board, Clerks of Courts, Sheriff's Departments, and other local governmental entities as a result of the fees/costs not being assessed to juveniles.

Senate

Dual Referral Rules

House

13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {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}

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