LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 122** HLS 11RS 669
Bill Text Version: **ORIGINAL**
Opp. Chamb. Action:
Proposed Amd.:
Sub. Bill For.:

Date: April 22, 2011 6:00 AM
Author: WOOTON
Dept./Agy.: Courts
Subject: Presentence Investigation Fees
Analyst: Matthew LaBruyere

CORRECTIONS OR INCREASE SG RV See Note

Provides for the imposition of a fee to defray the cost of presentence investigations

Proposed legislation retains present law and provides that if the court orders a presentence investigation of the defendant, the court shall order that the defendant pay to the Department of Public Safety and Corrections an amount not to exceed $150 to defray the cost of conducting the presentence investigation and preparing the presentence investigation report. Proposed legislation provides the amount of the fee shall be determined by the department on the defendant's ability to pay.

EXPENDITURES	**2011-12**	**2012-13**	**2013-14**	**2014-15**	**2015-16**	**5 -YEAR TOTAL**
State Gen. Fd.	$0	$0	$0	$0	$0	**$0**
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	$0	$0	$0	$0	$0	**$0**
Annual Total	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**

REVENUES	**2011-12**	**2012-13**	**2013-14**	**2014-15**	**2015-16**	**5 -YEAR TOTAL**
State Gen. Fd.	$0	$0	$0	$0	$0	**$0**
Agy. Self-Gen.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Ded./Other	$0	$0	$0	$0	$0	**$0**
Federal Funds	$0	$0	$0	$0	$0	**$0**
Local Funds	$0	$0	$0	$0	$0	**$0**
Annual Total	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**

EXPENDITURE EXPLANATION

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

REVENUE EXPLANATION

The proposed legislation would result in an increase in self-generated revenue through the imposition of a fee, paid by the defendant, to offset the cost of presentence investigations. According to the Department of Corrections, 1,571 presentence investigations were conducted in FY 10 by the Division of Probation and Parole. The cost of each investigation was approximately $95, which resulted in total expenditures of $149,245 (1,571 cases x $95 cost) in FY 10.

The total amount of fees that would be collected is indeterminable since it is not known how many presentence investigations will be ordered by the courts, the number of defendants that would be ordered to pay the fees, and how much of the fee would be collected from those defendants that are ordered to pay. For illustrative purposes, if 1,000 cases involving presentence investigations are ordered to pay the cost of the investigation ($95) and 50% of the fees are collected, SGR would increase by $47,500 (1,000 investigations x 50% collection rate x $95 cost of investigation).

Senate Dual Referral Rules
☐ 13.5.1 >= $100,000 Annual Fiscal Cost
☐ 13.5.2 >= $500,000 Annual Tax or Fee Change

House
☐ 6.8(F) >= $100,000 Annual SGF Cost
☐ 6.8(G) >= $500,000 Tax or Fee Increase or a Net Fee Decrease

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