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FISCAL IMPACT REPORT

ORIGINAL DATE 01/18/13
LAST UPDATED 03/06/13 **HB** _____

SPONSOR Neville

SHORT TITLE Raise Probation Costs for Defendants **SB** 20/aSJC

ANALYST Jorgensen

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY13	FY14	FY15		
NFI	Unknown	Unknown	Recurring	County

(Parenthesis () Indicate Revenue Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)
 Administrative Office of the District Attorneys (AODA)
 Attorney General's Office (AGO)
 New Mexico Sentencing Commission (NMSC)
 Public Defender Department (PDD)

SUMMARY

Synopsis of SJC Amendment

The Senate Judiciary Committee amendment to SB 20 clarifies that a fine of not more than \$50.00 per month may be assessed and paid to the "county for a public probation program."

Synopsis of Original Bill

Senate Bill 20 permits courts to require defendants serving probation for convictions of misdemeanor offenses, including DWI offenses, and/or revoked/suspended driving privilege offenses, to pay between \$15 and \$50 per month for probation costs. Currently, courts can impose probation costs between \$15 and \$30 monthly. The bill does not remove a court's discretion to impose such costs in the first place.

FISCAL IMPLICATIONS

The possible fiscal impact of this legislation is difficult to determine as data quantifying the number of individuals who will be affected by the increased probation costs is unavailable.

The PDD has stated that judges typically waive probation costs for indigent defendants.

NCJ/svb:blm