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## FISCAL IMPACT REPORT

**SPONSOR** Sanchez/Trujillo, J.      **ORIGINAL DATE** 2/11/2020  
**LAST UPDATED** \_\_\_\_\_      **HB** 343

**SHORT TITLE** Municipal Court Automation Fee Increase      **SB** \_\_\_\_\_

**ANALYST** Dick-Peddie

### REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY20	FY21	FY22		
	\$413.5	\$413.5	Recurring	Municipal Court Automation Fund

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

New Mexico Municipal League (NMML)

New Mexico Attorney General (NMAG)

#### No Response Received

Administrative Office of the Courts (AOC)

### SUMMARY

#### Synopsis of Bill

House Bill 343 would amend Section 35-14-11 NMSA 1978 to increase the municipal court automation fee from six dollars (\$6.00) to ten (\$10.00), the same automation rate for metropolitan and district courts. Other mandatory fees, such as the corrections fee of twenty dollars (\$20.00) and the judicial education fee of three dollars (\$3.00), are unchanged under HB343.

### FISCAL IMPLICATIONS

Municipal court fee collections are pooled in the municipal court automation fund (MCAF), created in Section 34-9-12 NMSA 1978. The fund is housed at the Administrative Office of the Courts (AOC), and used to reimburse courts for court automation equipment. Balances in the fund remaining at the end of fiscal years do not revert to the general fund.

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Increased revenue to MCAF would result in more funding available for court automation equipment, which, over time, may increase court accessibility and decrease court staff workload. According to the most recent audit of AOC, MCAF received \$620.3 thousand in revenues from court fees in FY19, but expended \$687.6 thousand, spending about \$67.3 thousand more than collected.

The current fund balance of the MCAF is \$315.7 thousand. Assuming collections for FY21 are similar to those in FY19, the additional \$4.00 added to the fee would result in about \$413.5 thousand in new revenues to the MCAF. If expenditure levels stay the same, the increase provided for in HB343 could help grow or maintain the fund. AOC did not submit agency analysis clarifying if the agency would maintain spending levels for automation equipment or increase expenditures with the new revenues.

### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Revenues to the Municipal Court Automation Fund will continue at current levels.

ADP/sb