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FISCAL IMPACT REPORT



SPONSOR: Cisneros DATE TYPED: 2/2/02 HB _____

SHORT TITLE: Taos Teen Court Program SB 320

ANALYST: J. Sandoval

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY02	FY03	FY02	FY03		
	\$55.0			Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Duplicates HB376

SOURCES OF INFORMATION

LFC files

SUMMARY

Synopsis of Bill

House Bill 376 appropriates \$55.0 from the general fund to Local Government Division of the Department of Finance and Administration for the purpose of funding the Taos county DWI-teen court program.

Significant Issues

1. For FY02, an appropriation totaling \$55.0 was made to the 8th Judicial district court in Taos to fund the teen court program. The court did not request this funding and did not want the responsibility of teen court. As a result, the 8th Judicial District court did not request continued funding for this program in its FY03 budget request.
2. For FY03, the Legislative Finance Committee also recommended eliminating funding for teen court in the 3rd and 5th districts courts. Teen court exists in other jurisdictions around the state, but is funded by either the county or municipality in which it operates. The LFC does not believe teen court is a function that the state should permanently fund although it acknowledges the merits of the program's goal. Start-up funding has been provided by the state to the three districts mentioned, but the expectation is that counties, schools, volun-

teens, municipalities or other community-based organizations will provide continued support for teen court programs.

3. Teen court is a program designed for first-time offenders to keep their records clean. A jury, composed of local teens, does not decide innocence or guilt of an offender, but assesses the sentence of the offender. The offender must openly admit commission of a delinquent act in front of the teen jury. If the offender admits to a delinquent act, accepts the "sentence" of the teen jury and successfully completes it, then the delinquent act is dismissed and the offender pays no fine.
4. It is, perhaps, the local municipal courts who are the most appropriate to fund and administer teen court programs.

FISCAL IMPLICATIONS

The appropriation of \$55.0 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2003 shall revert to the general fund.

POSSIBLE QUESTIONS

1. Why is funding being requested by the state for a county-sponsored program?
2. Since the state provided Taos county with start-up money, why is the county requesting continued funding?

CMS/JS/njw