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FISCAL IMPACT REPORT

SPONSOR Snyder DATE TYPED 1/27/04 HB _____

SHORT TITLE Create or Expand Drug Courts SB 130

ANALYST Koplik

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
	\$739.1			Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to SB 133

Relates to Appropriation in the General Appropriation Act

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts

Corrections Department

SUMMARY

Synopsis of Bill

Senate Bill 130 appropriates \$319.1 thousand from the general fund to the Administrative Office of the Courts (AOC) for the purpose of expanding juvenile and adult drug courts in the 4th, 6th, 11th, and 12th Judicial District Courts.

The bill also appropriates \$420 thousand to the Administrative Office of the Courts to create an adult drug court in the 13th Judicial District Court.

Significant Issues

The Administrative Office of the Courts provides the following table as a breakdown for both the \$319.1 and \$420.0 appropriations:

Judicial Unit	Drug Court Type	FY 05 Requests			
		'05 Expansion Funds		'05 New DC Funds	
		FTE		FTE	
Fourth District	Juvenile	62.4	1		
Sixth District	Juvenile	104.9	1		
Eleventh District	Adult	90	1		
Twelfth District	Juvenile	61.8 **	0		
Thirteenth District	Adult (proposed--Valencia)			210	1
	Adult (proposed--Sandoval)			210	1
SubTotals		319.1	3	420.0	2

** This includes \$9.1 for the program in Otero Co. and \$52.7 for the program in Lincoln Co.

If the \$319.1 thousand is appropriated from the general fund to the Administrative Office of the Courts, the existing drug court programs in four New Mexico judicial districts will be able to grow their established programs to assist non-violent drug and alcohol offenders either currently participating or entering these court-ordered programs in FY 2005. This expansion would allow established drug court programs to admit additional eligible participants and have the resources to provide treatment services.

The additional appropriation of \$420 thousand to the Administrative Office of the Courts would allow new drug courts already in the planning stages to begin operation in previously underserved areas of the state.

The Corrections Department reports that this bill could slightly to moderately reduce costs and improve its probation/parole programs by increasing the number of drug court programs as well as increasing the number of available slots in existing drug court programs. In turn, this could slightly reduce prison population growth and prison costs if drug court re-entry programs became available for inmates who would be released early on “parole” to these programs. Additionally, the bill could have an indirect positive impact upon Department probation programs by increasing the treatment programs available for drug offenders. It could also have an indirect positive impact upon Department prison programs by slightly reducing prison population growth.

FISCAL IMPLICATIONS

The appropriation of \$739.1 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2005 shall revert to the general fund.

ADMINISTRATIVE IMPLICATIONS

Funding for drug court or any other court-related program is typically funded directly to the individual court. It is suggested that the bill be amended to appropriate specific amounts to each court mentioned in the bill, not the Administrative Office of the Courts, and to specifically designate whether any FTE are associated with the appropriation.