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FISCAL IMPACT REPORT

ORIGINAL DATE 01/27/12
LAST UPDATED 02/02/12 **HB** _____

SPONSOR Sanchez, M.

SHORT TITLE Raise Magistrate Court Operations Fee **SB** 217

ANALYST Jorgensen

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY12	FY13	FY14		
	\$450.0	\$450.0	Recurring	General Fund

(Parenthesis () Indicate Revenue Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)

SUMMARY

Synopsis of Bill

Senate Bill 217 changes the temporary magistrate court operations fee enacted in the 2010 session, charged on penalty assessment misdemeanors, from \$4.00 to \$7.00. The bill does not change the “sunset” or expiration date for this fee, which is July 1, 2014. The fee will continue to be collected only on traffic citations that do not require a court appearance and where the driver decides to pay the citation to the Motor Vehicle Division rather than contest the citation in court.

FISCAL IMPLICATIONS

The magistrate court operations fee is collected by the motor vehicle division and credited to the magistrate court operations fund which is administered by the AOC. The fee is collected on traffic citations in which no court appearance is made. The motor vehicle division makes collection on about 150,000 of these penalty assessment citations annually. If collections remain consistent with prior years, the effect of a \$3.00 increase in the magistrate operations fee will be the generation of approximately \$450,000 in additional revenue annually.

According to the AOC, the additional revenue will allow courts to remain open full-time (many are currently closed to the public four hours a week), avoid employee furloughs, and ensure the

Senate Bill 217 - Page 2

AOC can make lease payments on magistrate facilities in FY 12. Magistrate courts have been operating with a vacancy rate of 11.90% statewide. Additional funds provided by an increased operations fee would enable the courts to fill some of these vacant positions and provide better service to the public.

ADMINISTRATIVE IMPLICATIONS

There will be a minimal administrative cost for statewide update, distribution and documentation of statutory changes.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

CJ/svb:amm