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## FISCAL IMPACT REPORT

**SPONSOR** Pirtle/ Tallman      **ORIGINAL DATE** 2/07/19  
**LAST UPDATED** 2/25/19      **HB** \_\_\_\_\_

**SHORT TITLE** Brain Injury Service Fee as Mandatory      **SB** 327

**ANALYST** Torres

### REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY19	FY20	FY21		
See Fiscal Implications			Recurring	Brain Injury Services Fund

(Parenthesis ( ) Indicate Revenue Decreases)

\*See fiscal implications.

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Public Defender Department (PDD)

Human Services Department (HSD)

New Mexico Attorney General (NMAG)

Taxation and Revenue Department (TRD)

Administrative Office of the Courts (AOC)

### SUMMARY

#### Synopsis of Bill

SB 327 amends the penalty assessment section to the Motor Vehicles chapter to make the brain injury services fee mandatory, and cannot be waived, deferred or suspended.

SB327 also strikes language pertaining to an operations fee, which expired May 31, 2014.

### FISCAL IMPLICATIONS

In FY 2012, a one-time \$2.4 million appropriation was added to the Brain Injury Services Fund (BISF), which has a current FY19 balance of \$280,794. The BISF receives annual funding from a \$5.00 fee applied to moving traffic violations issued in New Mexico. Revenues from the fee are added to the fund.

From FY12 to FY15, recurring annual revenues from the fee dropped from \$1.15 million to a low of \$788 thousand. Since, revenues have leveled to an average of \$979 thousand from FY16 to FY18.

Assuming up to 30 percent of fees are waived in a given year, up to \$420 thousand could be realized by implementation of SB 327.

**SIGNIFICANT ISSUES**

HSD contracts total \$1.2 million for FY19. The BISF program served 225 individuals in FY17 and 185 individuals in FY 2018. The following table outlines the average cost per individual to receive services including administrative costs.

	<b>FY 2017</b>	<b>FY 2018</b>	<b>AVG (FY 2017 &amp; FY 2018)</b>
Service Coordination (SC) service avg cost per individual	\$2,026.32	\$2,323.01	\$2,174.66
BISF services avg cost per individual	\$3,229.75	\$3,398.05	\$3,319.90
Total cost per individual (SC and BISF services)	\$5,256.06	\$5,721.06	\$5,488.56
Total avg cost for individual to receive services including administrative costs	\$6,016.72	\$6,628.52	\$6,322.62

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

SB 327 relates to SB 134, Brain Injury Services Fund Appropriation, which would appropriate \$500 thousand from the general fund to the brain injury services fund for expenditure in FY20 and subsequent fiscal years to maintain the statewide brain injury services program designed to increase the independence of people with brain injuries.

SB 327 also relates to SB 171, Increase Brain Injury Service Fee, which proposes to increase by \$1.40 the brain injury services fee collected from persons convicted of a moving traffic violation from \$5.00 to \$6.40 per violation.

IT/al/sb