



**OFFICE OF LEGISLATIVE AUDITOR
Fiscal Note**

Fiscal Note On: **HB 92** HLS 16RS 464
 Bill Text Version: **REENGROSSED**
 Opp. Chamb. Action: **W/ SEN FLOOR AMD**
 Proposed Amd.:
 Sub. Bill For.:

Date: June 1, 2016 10:48 AM	Author: JAMES
Dept./Agy.: East Baton Rouge Courts	Analyst: David Greer
Subject: Warrant recall fees	

COURTS/COURT COSTS REF -\$722,000 LF RV See Note Page 1 of 1
 Repeals the warrant recall fees collected to fund a misdemeanor jail in East Baton Rouge Parish.

Purpose of Bill: The bill repeals current law regarding warrant recall fees to fund a misdemeanor detention facility in East Baton Rouge Parish. The bill further provides for the distribution of all sums collected from the fee and placed in the Misdemeanor Detention Fund.

EXPENDITURES	2016-17	2017-18	2018-19	2019-20	2020-21	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						
REVENUES	2016-17	2017-18	2018-19	2019-20	2020-21	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	(\$722,000)	(\$722,000)	(\$722,000)	(\$722,000)	(\$722,000)	(\$3,610,000)
Annual Total	(\$722,000)	(\$722,000)	(\$722,000)	(\$722,000)	(\$722,000)	(\$3,610,000)

EXPENDITURE EXPLANATION

This bill will increase local fund expenditures by an indeterminable amount.

The bill requires all sums collected and placed in the Misdemeanor Detention Fund to be refunded to the person who paid the fee after the submission of a "properly completed request" by the person to the finance director of East Baton Rouge Parish. Any sums remaining in the fund on August 1, 2018 which are not subject to a claim for refund are to be distributed as follows: 1/2 to the East Baton Rouge Public Defender's Office and 1/2 to the East Baton Rouge District Attorney's Office to be used solely for 24 hour, 7 day service at the East Baton Rouge Parish jail.

According to the East Baton Rouge Finance Department, none of the collections have been spent because there has not been an appropriation by the East Baton Rouge City/Parish governing authority. In addition, the bill requires an annual audit of the Misdemeanor Detention Fund until all funds are distributed which will increase expenditures and there may be some reduction in expenditures for the cost of collecting and accounting for the warrant recall fees.

As of 2/24/16, collections in the fund totaled \$981,971 (19th JDC = \$309,763; Zachary City Court = \$49,700; Baker City Court = \$103,387; and Baton Rouge City Court = \$519,121).

REVENUE EXPLANATION

This bill will decrease local revenues by \$722,776 annually.

According to the East Baton Rouge Finance Department, since enactment in 2014 of the warrant recall fee, the five courts that were authorized to collect the fees remitted the following:

Court	Annual collections 12/31/15
19th JDC	\$223,753
EBR Family Court	-0-
Zachary City Court	\$ 33,850
Baker City Court	\$ 80,437
Baton Rouge City Court	<u>\$384,736</u>
TOTAL	\$722,776

We assume that the same level of warrant recall fees would be collected for fiscal years 2017-2021.

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| <u>Senate</u> | <u>Dual Referral Rules</u> | <u>House</u> |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} | | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S} |
| <input checked="" type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H} | | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |

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