



# OFFICE OF LEGISLATIVE AUDITOR Fiscal Note

Fiscal Note On: **HB 842** HLS 20RS 1317  
Bill Text Version: **ORIGINAL**  
Opp. Chamb. Action:  
Proposed Amd.:  
Sub. Bill For.:

**Date:** May 8, 2020 4:33 PM **Author:** HILFERTY  
**Dept./Agy.:** Criminal District Court of Orleans Parish **Analyst:** Barbara Lively  
**Subject:** Court Fines

COURTS OR NO IMPACT LF RV See Note Page 1 of 1  
Provides relative to the assessment, collection, and distribution of certain court costs and fees in the parish of Orleans

**PURPOSE:** This measure directs the funds collected for the Orleans Parish Criminal District Court's Judicial Expense Fund to the City of New Orleans. This bill also removes the \$5 assessment per conviction and guilty plea and the court's ability to assess fines up to \$500 for misdemeanors and up to \$2,500 for a felony. The measure eliminates the Criminal Court Cost Fund and the \$100 assessment per conviction or guilty plea.

| EXPENDITURES        | 2020-21    | 2021-22    | 2022-23    | 2023-24    | 2024-25    | 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         | \$0        | \$0        | \$0        | \$0        | \$0        | \$0           |
| <b>Annual Total</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b>    |

| REVENUES            | 2020-21    | 2021-22    | 2022-23    | 2023-24    | 2024-25    | 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         | \$0        | \$0        | \$0        | \$0        | \$0        | \$0           |
| <b>Annual Total</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b>    |

### EXPENDITURE EXPLANATION

**There is no anticipated direct material effect on governmental expenditures as a result of this measure.**

According to a court official, the expenditures of the Criminal Court have not changed. This measure only provides that the City of New Orleans will now manage funds collected by the Criminal Court.

### REVENUE EXPLANATION

**There is no anticipated direct material effect on governmental revenues as a result of this measure.**

According to a court official, revenues will not be affected as this bill only provides that the City of New Orleans will now manage funds collected by the Criminal Court. The Orleans Criminal District Court plans to deposit fines into an escrow fund instead of the Judicial Expense fund. This measure will allow those funds to be transferred to the City of New Orleans.

In addition, the fines eliminated by this bill will not cause a reduction in revenue because the Criminal Court had not been imposing nor collecting the eliminated fines. The bill also provides for a permissive nature of fines levied that were once mandatory (i.e., those remitted to the District Indigent Defender Fund and the Orleans DA), but according to an official with the Criminal Court, these provisions shouldn't materially reduce revenues.

Senate  
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}  
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House  
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}  
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

**Michael G. Battle**  
Manager, Advisory Services