



OFFICE OF LEGISLATIVE AUDITOR

Fiscal Note

Fiscal Note On: HB 4 HLS 051ES 50
Bill Text Version: ENROLLED
Opp. Chamb. Action:
Sub. Bill For.:
Proposed Amd.:

Date: November 28, 2005 8:42 AM
Author: TOOMY
Dept./Agy.: Clerks of Court
Subject: Ancillary offices during emergencies
Analyst: Kyle Farrar

CLERKS OF COURT EN NO IMPACT See Note Page 1 of 1
Authorizes any clerk of court to establish an ancillary office during a state of emergency

Purpose of Bill: During the period in which the governor has declared a state of emergency or disaster by executive order or proclamation, each clerk of court, and the recorder of mortgages, register of conveyances and office of notarial archives for the parish of Orleans are authorized to establish an ancillary office in any parish in the state. To do this, the court or office in Orleans Parish that is affected by the disaster or emergency must be unable to function at its existing location and no other location must be readily available within its parish or territorial jurisdiction.

Table with 7 columns: EXPENDITURES, 2005-06, 2006-07, 2007-08, 2008-09, 2009-10, 5-YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total.

Table with 7 columns: REVENUES, 2005-06, 2006-07, 2007-08, 2008-09, 2009-10, 5-YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total.

EXPENDITURE EXPLANATION

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

The measure is permissive. So, there is no direct effect on governmental expenditures. In addition, in the aftermath of hurricane Katrina some clerks of court have opened ancillary offices in other parishes. Therefore, this measure would, to some extent, codify present practice and would have no effect on expenditures.

To the extent that some clerks of court may decide to open ancillary offices under the provisions of this measure, the clerks would experience an increase in one-time and recurring local expenditures to set up and operate the offices. The size of the increases would depend on many factors and cannot be determined. Expenditures may be absorbed by revenue generated.

REVENUE EXPLANATION

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

Similar to the expenditure explanation, the measure would have no direct effect on revenues due to its permissive nature and current practice by clerks of court.

To the extent that some clerks of court may decide to open ancillary offices under the provisions of this measure, the clerks would experience an increase in local revenues due to the fees charged by the clerks to perform certain functions. In addition, some of the expenditures the clerks experience as a result of opening and operating ancillary offices may be reimbursable from the Federal Emergency Management Agency (FEMA). To the extent that FEMA reimburses clerks, there would be an increase in local government revenues.

Senate Dual Referral Rules

13.5.1 >= \$500,000 Annual Fiscal Cost

13.5.2 >= \$500,000 Annual Tax or Fee Change

House

6.8(F) >= \$500,000 Annual Fiscal Cost

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease

Signature of David K. Greer

David K. Greer
Director, Performance Audit