

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 553** HLS 14RS 1239

Bill Text Version: **ENROLLED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 16, 2014 7:38 AM	Author: HAVARD
Dept./Agy.: Judiciary	Analyst: Matthew LaBruyere
Subject: Judicial Commitment	

COURTS/COURT COSTS EN INCREASE GF EX See Note Page 1 of 1
Provides an increase in court costs relative to judicial commitment procedures

Present law provides, in a judicial commitment procedure, that reasonable compensation of the appointed examining physicians and all court costs shall be established by the court and ordered paid by respondent or petitioner in the discretion of the court. Present law further provides that, if it is determined by the court that the costs shall not be borne by the respondent or the petitioner, the compensation to the physicians and all court costs shall be paid from funds appropriated to the judiciary, but such court costs shall not exceed the sum of \$75.

Proposed law retains present law but increases the maximum costs from \$75 to \$125.

EXPENDITURES	2014-15	2015-16	2016-17	2017-18	2018-19	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
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	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Annual Total						
REVENUES	2014-15	2015-16	2016-17	2017-18	2018-19	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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

The proposed legislation will result in an increase in state general fund expenditures as a result of increasing the maximum cost paid by the court from \$75 to \$125 for physician compensation and court costs. In the FY 15 Judicial Appropriation bill, the amount budgeted for Civil Commitment is \$143,424, which is 1,912 commitments based on the \$75 amount (\$75 x 1,912 commitments = \$143,400). To the extent the number of commitments remain constant, the court will have to pay \$239,000 (\$125 x 1,912 commitments), an increase of \$95,576 annually.

Local governmental expenditures would also increase as a result of increasing the cost paid by the court. However, the LFO cannot determine at this time the total number of civil commitments conducted throughout the state. It should be noted that the physician and court costs are paid by either the local district courts or by the Supreme Court for local district courts.

To the extent the increase in the cost cannot be paid by judicial districts, then the Supreme Court will likely have to pay the cost. This would result in an increased amount of SGF expenditures above the amount previously stated.

REVENUE EXPLANATION

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

- | | | | |
|---|----------------------------|--------------|--|
| <u>Senate</u> | <u>Dual Referral Rules</u> | <u>House</u> | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S} |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} | | | <input type="checkbox"/> 6.8(F)(2) >= \$500,000 State Rev. Reduc. {H & S} |
| <input 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} |

Evan Brasseaux
Evan Brasseaux
Staff Director