

LEGISLATIVE FISCAL OFFICE
Fiscal Note

ACT 239

Fiscal Note On: **HB 136** HLS 16RS 656

Bill Text Version: **ENROLLED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:



Date: June 3, 2016	8:53 AM	Author: MACK
Dept./Agy.: LA Public Defender Board		
Subject: Extension of Sunset for \$45 Indigent Defense Court Fee		Analyst: Zachary Rau

INDIGENT DEFENSE EN INCREASE LF RV See Note Page 1 of 1
 Extends the collection of the special cost assessed in criminal cases for the district indigent defender fund

Proposed law changes sunset date outlined in present law from August 1, 2016 to August 1, 2017 for a \$45 court fee to be assessed in cases in which a defendant is convicted after trial, a plea of guilty or nolo contendere, or after forfeiting bond and shall be in addition to all other fines, costs, or forfeitures imposed. The court fee will then be remitted to the district indigent defender office. After the sunset date, the court fee will decrease by \$10, from \$45 to \$35.

Proposed law changes due date for a report to be prepared by the LA Public Defender Board outlining use of the \$45 court fee from before the 2016 Legislative Session to before the 2017 Legislative Session.

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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

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	INCREASE	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$0
Annual Total		\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

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

REVENUE EXPLANATION

Proposed law changes the sunset date originally placed in present law by Act 578 of 2012. Act 578 increased court fees diverted to district indigent defense offices by \$10, from \$35 to \$45, for certain types of cases with a sunset date of August 1, 2016, after which the court fee would revert to \$35. Proposed law changes the sunset date to August 1, 2017, extending the period of time district courts must remit the \$45 court fee to local offices of the LA Public Defender Board and delaying the reversion back to the previous \$35 fee.

For reference, the LA Public Defender Board estimates that a sunset of the \$45 court fee and reversion to the previous \$35 court fee would result in a reduction of \$5-6 M in local revenues annually.

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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} | |

Evan Brasseaux
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Staff Director