



**OFFICE OF LEGISLATIVE AUDITOR  
Fiscal Note**

Fiscal Note On: **HB 92** HLS 16RS 464  
 Bill Text Version: **ENROLLED**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> June 7, 2016 1:51 PM	<b>Author:</b> JAMES
<b>Dept./Agy.:</b> East Baton Rouge Courts	<b>Analyst:</b> David Greer
<b>Subject:</b> Warrant recall fees	

COURTS/COURT COSTS EN -\$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					
<b>Annual Total</b>						
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)
<b>Annual Total</b>	<b>(\$722,000)</b>	<b>(\$722,000)</b>	<b>(\$722,000)</b>	<b>(\$722,000)</b>	<b>(\$722,000)</b>	<b>(\$3,610,000)</b>

**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. All sums remaining in the fund on January 1, 2017, are to be distributed. First, the total amount collected and deposited to the Misdemeanor Detention Fund by the Baker and Zachary City Courts are to be returned to those respective courts in their entirety. The total amount collected and deposited to the fund by the 19th JDC, East Baton Rouge Family Court, and the Baton Rouge City Court are to be distributed as follows: 50% of the remaining funds will be returned to the court that collected those sums in proportion to the amount of funds collected, 25% of the remaining funds will be transferred to the EBR Public Defender's Office, and 25% will be transferred to the EBR District Attorney's Office. 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. 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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