



**OFFICE OF LEGISLATIVE AUDITOR
Fiscal Note**

Fiscal Note On: **SB 111** SLS 19RS 277
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.: **REVISED**

Date: April 26, 2019 3:02 PM	Author: CLAITOR
Dept./Agy.: 19th Judicial District Court	Analyst: Philip Fach
Subject: Deferral of Court Costs in the 19th JDC	

COURTS OR SEE FISC NOTE LF EX See Note Page 1 of 1
 Provides relative to court costs in suits involving the state and state agencies in the Nineteenth Judicial District Court.
 (8/1/19)

Purpose of Bill: This bill restricts the ability of governmental entities to defer court costs for judicial proceedings in the 19th Judicial District Court (19th JDC) to only the state and specified departments of the state. Currently, local and state governments (executive, judicial, and legislative) may defer these court costs.

EXPENDITURES	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	SEE BELOW					
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					
Annual Total						

REVENUES	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	SEE BELOW					
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW					
Annual Total						

EXPENDITURE EXPLANATION

This bill may increase expenditures of certain local governmental entities by approximately \$245,000 in FY 2020, increasing to approximately \$266,000 by FY 2024 as these entities pay court costs that, in the past, often went unpaid.

Current law allows local government entities to defer payment of court costs that are to be collected by the East Baton Rouge Clerk of Court. An official with the Clerk's office indicated that these deferred payments often go unpaid. This bill prohibits local government entities from deferring these court costs in the future. This official indicated that this prohibition would increase payments as these local governments would no longer be able to defer payment. The estimated increase in payments is approximately \$245,000 in FY 2020, increasing to approximately \$266,000 by FY 2024.

If judicial and legislative entities are not allowed to defer court costs, such entities will have to pay costs (up front) for all filings and seek reimbursement at a later time, resulting in budget implications for these entities.

REVENUE EXPLANATION

This bill may increase statutorily dedicated revenues and local fund revenues by \$245,000 in FY 2020, increasing to approximately \$266,000 by FY 2024 as collections are made on payments that, in the past, often went uncollected.

These payments will be collected by the Clerk's office, and the Clerk will keep 50% of collections and disperse the remaining 50% to recipient governmental entities as provided in state law (see the list of recipient governmental entities below).

The official with the Clerk's office indicated that the remaining 50% of collections will be dispersed as follows: 19th Judicial District Expense Fund (21%); 19th Judicial District Building Fund (18%); Sheriff Fees in Civil Matters (6%); Judge's Supplemental Compensation Fund (2%); Secretary of State (1%); Judicial College (0.75%); State Fiscal (0.5%); Civil Case Reporting Form (0.25%); Pro Bono Fund (0.05%); Commissioner of Insurance (0.025%); Other disbursements required by other various statutes (0.425%).

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}

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