



**LEGISLATIVE FISCAL OFFICE
Fiscal Note**

Fiscal Note On: **HB 129** HLS 22RS 297
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.: **REVISED**

Date: April 12, 2022 6:01 PM	Author: NELSON
Dept./Agy.: Dept. of Public Safety	Analyst: Rebecca Robinson
Subject: Person's failure to honor a written promise to appear	

MTR VEHICLE/DRIVER LIC OR -\$4,458,323 SG RV See Note Page 1 of 2
 Provides relative to an arrested person's failure to honor a written promise to appear

Current law provides for the suspension of a person's operator's license and the imposition of a \$50 fee for that person's failure to honor his written promise to appear in court. Upon notification to the Department of Public Safety & Corrections (DPS) by the court that the person has made an appearance as required or paid a fine for the offense committed, DPS shall renew or reissue the person's operator's license. The person shall pay an additional \$50 to DPS; \$12.50 of the fine shall be paid to the court exercising jurisdiction (R.S. 32:57.1).

Proposed law repeals current law.

EXPENDITURES	2022-23	2023-24	2024-25	2025-26	2026-27	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	SEE BELOW	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

REVENUES	2022-23	2023-24	2024-25	2025-26	2026-27	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	(\$4,458,323)	(\$4,458,323)	(\$4,458,323)	(\$4,458,323)	(\$4,458,323)	(\$22,291,615)
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Annual Total						

EXPENDITURE EXPLANATION

There will be an increase in IAT expenditures for the Department of Public Safety & Corrections - Office of Motor Vehicles (OMV) as a result of the proposed law. The department reports the proposed law would require 40 hours of overtime for an IT Management Consultant 1 Developer to perform application changes to the OMV Legacy solution. At \$80 per hour, the cost for the overtime is \$3,200 (40 x \$80/hour = \$3,200), plus the employer's portion of the Medicare tax of \$46 (\$3,200 x 1.45% = \$46), totaling \$3,246. Cost are incurred by the Office of Technology Services and reimbursed by the OMV. see p2

REVENUE EXPLANATION

There will be a decrease in self-generated revenue for the Department of Public Safety & Corrections - Office of Motor Vehicles (OMV) and local courts as a result of the proposed law. Current law provides for fines totaling \$100 for the failure to honor a written promise to appear in court, of which \$87.50 is paid to OMV and \$12.50 to the local court exercising jurisdiction. Proposed law repeals the statute and eliminates all penalties. It is unknown the number of persons who fail to honor a written promise to appear in court.

For illustrative purposes only: DPS reports the revenue collections for the failure to honor a written promise under R.S. 32:57.1. These collections are based on the last 3 years average.

<u>Fees to DPS</u>		<u>Total Average Collections</u>
Written Promise	\$50 fee	\$2,547,602
Affidavit Reinstatement Fee	\$37.50 fee	\$1,910,721
Subtotal DPS		\$4,458,323

<u>Fees to Court Exercising Jurisdiction</u>		
Affidavit Reinstatement Fee	\$12.50	\$620,717

Total Revenue Loss - based on last 3 years average \$5,079,040

- | | | |
|--|----------------------------|--|
| <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

Evan Brasseaux
 Interim Deputy Fiscal Officer



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CONTINUED EXPLANATION from page one:

Continued expenditure explanation:

While proposed law does not directly impact state expenditures or local expenditures, it does eliminate \$4.5 M in self-generated revenue to DPS and \$620,717 to local courts statewide. The revenues are used to support operations within the OMV and local courts. These lost revenues for DPS may need to be replaced by SGF or another revenue source to supplant the loss of self-generated revenue, and would compete for annual SGF resources along with another significant SGF supported services and activities of the state.

Senate Dual Referral Rules
 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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