



OFFICE OF LEGISLATIVE AUDITOR
Fiscal Note

Fiscal Note On: SB 240 SLS 13RS 714
Bill Text Version: ENGROSSED
Opp. Chamb. Action:
Proposed Amd.:
Sub. Bill For.:

Date: April 24, 2013 10:47 AM Author: MURRAY
Dept./Agy.: Clerk of Orleans Parish Criminal District Court Analyst: Steven Kraemer
Subject: Court Costs

COURTS EG INCREASE LF RV See Note Page 1 of 1
Authorizes imposition of court cost in Orleans Parish Criminal District Court under certain circumstances to defray operating expenses of clerk. (2/3 - CA7s2.1) (8/1/13)

Purpose of Bill: This bill authorizes the Orleans Parish Criminal District Court to impose a new court cost not to exceed \$100 to be used to defray the Clerk's salaries and operating expenses. This cost may be imposed against any non-indigent defendant who pleads guilty or is convicted of an offense by the Court. This court cost, however, can only be imposed when the Clerk of Orleans Parish Criminal District Court's budget contains certain funding amounts.

State law (R.S. 13:62) requires this court cost to be reviewed by the Judicial Council and a recommendation be provided to the legislature prior to enacting the court cost. An official with the Louisiana Supreme Court indicated that this court cost was not reviewed by the Judicial Council.

Table with 7 columns: EXPENDITURES/REVENUES, 2013-14, 2014-15, 2015-16, 2016-17, 2017-18, 5-YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total for both categories.

EXPENDITURE EXPLANATION

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

REVENUE EXPLANATION

This bill may increase local revenue for the Clerk of Orleans Parish Criminal District Court by a maximum of approximately \$219,000 annually.

We were unable to obtain information from the Clerk of Orleans Parish Criminal District Court. In addition, an official with Orleans Parish Criminal District Court indicated that the Court could not determine the fiscal impact of the bill. However, an official with the Orleans Parish District Attorney's office indicated that approximately 5,350 defendants were convicted or plead guilty to felonies and misdemeanors in 2012. We also obtained information from the Louisiana Public Defender's Office regarding indigent defendants convicted or pleading guilty in 2012.

For purposes of providing fiscal impact information, the following assumptions were made: (1) annual convictions and guilty pleas will remain at the 2012 level in the future -- 5,350 convicted defendants; (2) the Court will impose the maximum court cost allowed; (3) 3,157 defendants will be indigent; and (4) the Clerk's office will meet the bill's funding requirements.

Based on the information and assumptions above, we estimate that this bill may increase the revenue of the Orleans Parish Criminal District Court Clerk by a maximum of approximately \$219,000 annually.

- Senate Dual Referral Rules House
13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} 6.8(F) >= \$500,000 Annual Fiscal Cost {S}
13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H} 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Signature of Michael G. Battle
Michael G. Battle
Manager, Advisory Services