



OFFICE OF LEGISLATIVE AUDITOR
Fiscal Note

Fiscal Note On: SB 478 SLS 14RS 478
Bill Text Version: ENGROSSED
Opp. Chamb. Action:
Proposed Amd.:
Sub. Bill For.:

Table with metadata: Date: April 9, 2014 1:52 PM, Author: CLAITOR, Dept./Agy.: Courts, Subject: Warrant Recall Fee, Analyst: Richard Aultman

COURTS. EG INCREASE LF RV See Note Page 1 of 2
Authorizes the levy of a warrant recall fee to fund a misdemeanor jail in East Baton Rouge Parish. (8/1/14)

Purpose of Bill: This measure would specifically authorize all courts in East Baton Rouge Parish to levy and impose a \$50 warrant recall fee for all persons who fail to appear for all misdemeanor and traffic offenses. The measure also provides that the proceeds shall be used to pay the expenses of operating a misdemeanor detention facility. It further requires each court's clerk to place all funds collected into a separate account designated as the Misdemeanor Detention Fund with East Baton Rouge Parish.

As required by state law, these additional court costs were reviewed by the Judicial Council, which provided its recommendation for approval to the legislature.

Table with 7 columns: EXPENDITURES, 2014-15, 2015-16, 2016-17, 2017-18, 2018-19, 5-YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total.

Table with 7 columns: REVENUES, 2014-15, 2015-16, 2016-17, 2017-18, 2018-19, 5-YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total.

EXPENDITURE EXPLANATION

There may be an increase in local government expenditure as a result of this measure.

According to an official with the East Baton Rouge Parish Sheriff's Office, there should be no direct impact on the sheriff's office. He stated that in the past they have entered into a Cooperative Endeavor Agreement with the Clerk of Court's Office to collect fees and fines on behalf of the Clerk of Court's Office. There may be some expenses as a result of this agreement, but these cannot be determined until this agreement is in place.

According to an official with the East Baton Rouge District Attorney's Office, the Baton Rouge City Constable's Office estimates that a misdemeanor detention facility could be operated at an annual cost of \$2.2 million.

According to officials with the East Baton Rouge Family Court, collections of bench warrant recall fees may require additional personnel, which may increase expenditures.

REVENUE EXPLANATION

There may be an increase in local government revenue as a result of this measure.

According to an official with the East Baton Rouge District Attorney's Office, using the number of warrants recalled during a two week trial of a misdemeanor jail in fiscal year 2012, there may be up to \$3.5 million in annual revenues from warrant recall fees. This estimated increase in warrant recall fee revenues reflects a reduction based on the fact that some warrants are recalled currently, without the availability of a misdemeanor detention facility to aid in processing these warrants. The official also stated that these revenues may diminish in future years as defendants have proven compliant with court dates once the jail is open and operating, resulting in a reduction of outstanding bench warrants.

According to an official with the Baton Rouge City Court, the court currently collects bench warrant recall fees; it collected fees of \$1,126,600 in calendar year 2012 and \$1,063,800 in calendar year 2013.

Revenue Explanation continued on page 2.

- Senate Dual Referral Rules House
[ ] 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
[X] 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}
[ ] 6.8(F)(2) >= \$500,000 State Rev. Reduc. {H & S}
[X] 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}

Joy Irwin
Director of Advisory Services



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**CONTINUED EXPLANATION from page one:**  
**Revenue Explanation Continued (from page 1)**

According to an official with the **19th Judicial District Court**, this measure may increase annual revenues by \$97,500 based on the annual number of bench warrants recalled in calendar year 2013. However, as the imposition of this fee is at each judge's discretion, estimated annual revenues may be reduced.

According to officials with the **East Baton Rouge Family Court**, this measure may increase annual revenues by approximately \$10,000 annually. However, as the imposition of this fee is at each judge's discretion, estimated annual revenues may be reduced.

Senate      Dual Referral Rules      House       6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}       6.8(F)(2) >= \$500,000 State Rev. Reduc. {H & 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}

**Joy Irwin**  
**Director of Advisory Services**