



OFFICE OF LEGISLATIVE AUDITOR
Fiscal Note

Fiscal Note On: HB 888 HLS 14RS 1120
Bill Text Version: REENGROSSED
Opp. Chamb. Action: W/ SEN FLOOR AMD
Proposed Amd.:
Sub. Bill For.:

Date: May 20, 2014 3:00 PM Author: ARNOLD
Dept./Agy.: Clerks of Court Analyst: Richard Aultman
Subject: Statewide Portal for Records

CLERKS OF COURT REF INCREASE LF EX See Note Page 1 of 2
Creates a statewide portal for secure remote access to certain records maintained by district clerks of court

Purpose of Bill: This measure creates a statewide portal for secure remote access to records maintained by district clerks of court, known as the Louisiana Clerks' Remote Access Authority (LCRAA). The measure also provides for the infrastructure to support the program. The LCRAA shall be composed of district clerks of court who enroll before September 1, 2014. The LCRAA shall be governed by a seven member board of commissioners. The measure provides for the board's terms, powers, and duties. It further authorizes the board to establish user fees for remote access through the statewide portal. Beginning September 1, 2014, members of LCRAA shall collect a fee of five dollars per recording. Three dollars shall be remitted to LCRAA and two dollars shall be retained by the member to fund costs related to participation in the statewide portal. If the statewide portal is not operational by August 31, 2017, the additional five dollars shall cease to be collected. The authority to collect a fee as provided for in this Section shall cease to exist on August 1, 2020.

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 indeterminable increase in local government expenditures as a result of this measure.

According to an official with Louisiana Clerks of Court Association, the proposed legislation may result in an indeterminable increase in expenditures for equipment, supplies, software, and services associated with establishing a statewide portal. Expenditures in fiscal year 2014-15 will be limited to the amount of revenue received through the fee of five dollars per recording in those parishes which elect to participate as well as in subsequent years. There may also be an indeterminate increase in expenditures for participating clerks to fund the costs for their participation in LCRAA.

REVENUE EXPLANATION

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

According to an official with Louisiana Clerks of Court Association, the proposed legislation provides for a new entity which would operate solely on the revenues available, which includes three dollars of the five dollar recordation fee collected by participating clerks. Revenues are dependent upon which parishes elect to participate through an annual election. For participating clerks, there may be an indeterminate increase in revenues as they are entitled to receive two of the five dollars collected for each recording to defray the costs associated with their participation.

According to an official with the East Baton Rouge Parish Clerk of Court, there was an average of 85,862 recordings per year for calendar years 2011, 2012, and 2013. This may increase total revenue by approximately \$429,310 per year, with \$171,724 being retained by the parish and \$257,586 being remitted to LCRAA.

Revenue Explanation continued on page 2.

- Senate Dual Referral Rules House
13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}
13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}
6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
6.8(F)(2) >= \$500,000 State Rev. Reduc. {H & S}
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 **Tangipahoa Parish Clerk of Court**, there were 29,054 recordings for calendar year 2013. This may increase total revenue by approximately \$145,270 per year, with \$58,108 being retained by the parish and \$87,162 being remitted to LCRAA.

According to an official with the **St. Martin Parish Clerk of Court**, there were 10,825 recordings for calendar year 2013. This may increase total revenue by approximately \$54,125 per year, with \$21,650 being retained by the parish and \$32,475 being remitted to LCRAA.

According to an official with the **St. Helena Parish Clerk of Court**, there were 2,462 recordings for calendar year 2013, but the annual average is typically approximately 2,000 per year. This may increase total revenue by approximately \$10,000 per year, with \$4,000 being retained by the parish and \$6,000 being remitted to LCRAA.

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**