

FISCAL NOTE

Bill #: HB0067

Title: Offense of child endangerment
for DUI with minor in vehicle

**Primary
Sponsor:** Christopher Harris

Status: As Introduced

Sponsor signature Date

Chuck Swysgood, Budget Director Date

Fiscal Summary

	<u>FY2002 Difference</u>	<u>FY2003 Difference</u>
Expenditures:		
State Special Revenue	5,150	5,150
Revenue:		
General Fund	32,500	32,500
Net Impact on General Fund Balance:	32,500	32,500

<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>	
	X	Significant Local Gov. Impact	X		Technical Concerns
	X	Included in the Executive Budget		X	Significant Long-Term Impacts
	X	Dedicated Revenue Form Attached		X	Family Impact Form Attached

Fiscal Analysis

ASSUMPTIONS:

Department of Justice

1. Based on past experience, it is assumed that there will be 10 convictions per year for this offense. Of these 10 convictions, eight will be first time offenses and two will be second offenses.

(continued)

2. It is hard to determine fiscal impact because there is no minimum monetary penalty, just a maximum. Fines are projected at about half of the maximum. Eight first time convictions at \$2,500 equals \$20,000, and two second time convictions at \$7,500 equals \$15,000, for a total of \$35,000 each year. Local governments receive 50 percent or \$17,500 of fines collected, and 50 percent is deposited in the general fund.
3. Assuming all 10 vehicles are forfeited, it will cost roughly \$515 each to tow (\$75), store (\$240), and sell (\$200), or \$5,150 total expenses. Expenditures will be from the state special revenue highway gas tax account, consistent with the other program funding.
4. When sold, the vehicles will bring approximately \$1,500 each for a total of \$15,000. The funds from the sale would go into the state general fund.

Department of Corrections

5. HB 67 will increase the number of incarcerated or supervised adult felons in the corrections system because of the nature of the criminal penalties, which may be imposed in the bill.
6. The number of commitments to the corrections system cannot be accurately predicted by this legislation.

FISCAL IMPACT:

	<u>FY2002 Difference</u>	<u>FY2003 Difference</u>
<u>Expenditures:</u>		
Operating Expenses	5,150	5,150
<u>Funding:</u>		
State Special Revenue (02)	5,150	5,150
<u>Revenues:</u>		
General Fund (01)	32,500	32,500
<u>Net Impact to Fund Balance (Revenue minus Expenditure):</u>		
General Fund (01)	32,500	32,500
State Special Revenue (02)	(5,150)	(5,150)

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

Department of Justice

1. Local governments receive 50 percent of the fines levied in these cases. So the effect on local governments would be an additional \$17,500 estimated revenue each year.

TECHNICAL NOTES:

Department of Justice

1. It is hard to estimate the revenue collected because there is no minimum. The judge has the opportunity to impose zero fine, or the maximum. The estimate used is an average of roughly 50 percent of the maximum penalty.