

FISCAL NOTE

Bill #: HB0068

Title: Authorize driver's license suspension for failure to comply with sentence

Primary Sponsor: William Price

Status: As Introduced

Sponsor signature	Date	Chuck Swysgood, Budget Director	Date
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Fiscal Summary

	<u>FY2002 Difference</u>	<u>FY2003 Difference</u>
Expenditures:		
General Fund	\$76,804	\$61,504
Revenue:		
General Fund	\$41,950	\$83,900
Net Impact on General Fund Balance:	(\$34,854)	\$22,396

<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. The number of driver's license suspensions and reinstatements resulting from the failure to comply with a sentence would be similar to the driver's license suspensions and reinstatements for failure non-payment of fines or failure to appear in court.
2. In calendar year 1999 the Department of Justice (DOJ) Motor Vehicle Division processed 6,856 driver's license suspensions for non-payment/appearance and 3,356 reinstatements or a total of 10,212 driver's license actions. It requires 1.00 FTE to process 4,300 suspensions and reinstatements a year; therefore, 2.50 FTE would be required to receive and process the driver license revocations at a cost of \$54,913.

(continued)

Ongoing operating costs of \$6,591 would be needed for the data network charges, rent etc., \$12,000 for new employee package for desk, office furniture, and personal computer, plus the installation of new phones and network connections for FY 2002 only.

3. Programming costs are estimated at \$3,300 in FY 2002 only. It will be necessary to contract for programming with an outside vendor since DOJ programming staff are committed to completing the current backlog of more than 15,000 hours of programming to comply with existing mandates.
4. Assuming the same ratio of individuals whose driver's license is suspended would comply with the requirements and pay the required reinstatement fee of \$25 to the general fund, there would be an annual increase of approximately \$83,900 ($3,356 \times \$25 = \$83,900$). Since HB 68 affects those sentences imposed after the effective date of the bill, it is assumed that revenues for FY 2002 would be \$41,950 or 50% of the projection for activity following implementation.

Department of Corrections

5. There will be no fiscal impact to the Department of Corrections because the bill merely allows the court to revoke an offender's driving privileges for any failure to comply with any sentence imposed for a criminal violation of Montana law.
6. HB 68 could have some impact on employment opportunities as well as mandatory treatment services for offenders under supervision. This restriction could have an adverse impact on restitution and supervision fee collection as well as the overall success of an offender under supervision.

FISCAL IMPACT:

	FY2002 Difference	FY2003 Difference
FTE	2.50	2.50

Expenditures:

Personal Services	54,913	54,913
Operating Expenses	<u>21,891</u>	<u>6,591</u>
TOTAL	\$76,804	\$61,504

Funding:

General Fund (01)	\$76,804	\$61,504
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Revenues:

General Fund (01)	\$41,950	\$83,900
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Net Impact to Fund Balance (Revenue minus Expenditure):

General Fund (01)	(\$34,854)	\$22,396
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TECHNICAL NOTES:

1. The Department of Justice, under Title 61, is only authorized to suspend a license if all the conditions set forth in (a) through (c) of 61-5-214(1) are met. Current law versions of (b) and (c) do not recognize failure to comply with conditions of a criminal sentence under 46-18-201. Therefore, unless those sections are amended, the requirements for license suspension could not be met.