

Fiscal Estimate Narratives

DOJ 10/18/2005

LRB Number	05-3399/1	Introduction Number	AB-618	Estimate Type	Original
Subject					
Child safety restraint systems and safety belt use requirements					

Assumptions Used in Arriving at Fiscal Estimate

Current law imposes various surcharges against persons who violate certain laws. Two such surcharges are the crime laboratories and drug law enforcement surcharge, and the penalty surcharge. The crime laboratories and drug law enforcement surcharge is \$8 and the Department of Justice (DOJ) uses that revenue to support the DNA databank, DNA evidence prosecution efforts, crime laboratories, and drug law enforcement efforts. The penalty surcharge is 25% of a fine or forfeiture. DOJ uses the funds to support the law enforcement training fund, crime laboratory equipment, and certain Office of Justice Assistance Programs.

Currently, when a person violates 347.48 (4) (child safety restraint system) that person must pay the crime laboratories and drug law enforcement surcharge, and the penalty surcharge. However, under Assembly Bill 618, for the first six months after enactment, law enforcement may issue only written warnings, not citations, for violations of 347.48 (4).

DOJ reports that there were approximately 2,000 convictions for violating 347.48 (4) during the second half of 2004. Under AB 618, DOJ would have received \$16,000 (2,000 x \$8) fewer crime laboratories and drug law enforcement surcharge dollars during that time period. The forfeiture for 1st time offense of 347.48 (4) is \$30, which results in a \$7.50 (\$30 x 25%) penalty surcharge. Under AB 618, DOJ also would have received \$15,000 (2,000 x \$7.50) fewer penalty surcharge dollars during that time period. In total, under AB 618, DOJ would have received approximately \$31,000 fewer surcharge dollars during the second half of 2004 to support programs such as the crime labs, law enforcement training and drug law enforcement activities.

Long-Range Fiscal Implications