

Fiscal Estimate Narratives

DOR 1/25/2008

LRB Number	07-1670/1	Introduction Number	AB-0678	Estimate Type	Original
Description Collection of fines and forfeitures by counties					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, when a circuit court imposes a fine or forfeiture on a person for violating a state law, a certain percentage of collections are retained by the county, with the remainder paid to the state. For transportation-related fines and forfeitures, the county retains 50%. For non-transportation-related fines and forfeitures, the county retains 10%. The portion of fines and forfeitures paid to the state is deposited in the Common School Fund. The income of this fund is used to finance state aid for public school libraries.

The bill makes two changes to the sharing of non-transportation-related fines and forfeitures, one permanent and one temporary. Under the permanent change, the percentage retained by a county would increase from 10% to 20%. Under the temporary change, for any fine or forfeiture imposed 180 days or more before the day the bill takes effect and that remains unpaid on that date, the county could retain 30% of any collections made within one year of the day the bill takes effect.

Under the bill, the increase in fines and forfeitures retained by counties will be reflected by an equal decrease in fines and forfeitures remitted to the state. Based on data for 2005 from county financial report forms filed with the Department of Revenue, total fines and forfeitures revenue was about \$29.3 million. However, since this total includes significant revenues other than the share of fines and forfeitures currently retained by counties, the Department is unable to reasonably estimate the increase in county revenue, decrease in state revenue, and decrease in Common School Fund earnings that the bill could engender.

The bill has no effect on Department of Revenue administrative procedures or costs.

Long-Range Fiscal Implications