

FISCAL NOTE
Requested by Legislative Council
03/24/2009

Amendment to: SB 2069

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

| | 2007-2009 Biennium | | 2009-2011 Biennium | | 2011-2013 Biennium | |
|-----------------------|--------------------|-------------|--------------------|-------------|--------------------|-------------|
| | General Fund | Other Funds | General Fund | Other Funds | General Fund | Other Funds |
| Revenues | | | (\$200,000) | \$200,000 | (\$200,000) | \$200,000 |
| Expenditures | | | | | | |
| Appropriations | | | | | | |

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

| 2007-2009 Biennium | | | 2009-2011 Biennium | | | 2011-2013 Biennium | | |
|--------------------|--------|------------------|--------------------|--------|------------------|--------------------|--------|------------------|
| Counties | Cities | School Districts | Counties | Cities | School Districts | Counties | Cities | School Districts |
| | | | | | | | | |

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

SB2069 as ammended would increase the \$400,000 biennial cap currently placed on the Civil Legal Services Fund to \$600,000. This bill will reduce revenue to the General Fund and increase revenue to the Civil Legal Service Fund by \$200,000.

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Subsection 1 of section 27-05.2-03 caps the amount of revenue recored into the Civil Legal Services Fund at \$400,000. The \$400,000 cap has been met in each of the last three bienniums. The overages have been credited to the General Fund. Approximately \$79,000 in 03-05, \$117,500 in 05-07, and we anticipate over \$250,000 in 07-09.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

From a review of prior history it appears fees collected “for filing a case for decision that is not a small claims action” have been experiencing an increasing trend over the last six years. We project that the fees collected will exceed the new \$600,000 cap. The Civil Legal Services Fund would increase \$200,000 in 09-11 and 11-13. General Fund revenue will decrease by this same amount.

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

The Civil Legal Service Fund is a continuing appropriation. An advisory committee consisting of the lieutenant governor, the director of the office of management and budget or the director's designee, and the state court administrator shall distribute moneys deposited in the indigent civil legal services fund.

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| Phone Number: | 328-2643 | Date Prepared: | 03/24/2009 |