

# FISCAL NOTE

Requested by Legislative Council  
02/03/2009

## REVISION

Amendment to: HB 1306

**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
<b>Revenues</b>				\$110,000		\$100,000
<b>Expenditures</b>			\$546,000	\$20,000	\$546,000	\$20,000
<b>Appropriations</b>			\$546,000	\$20,000	\$546,000	\$20,000

**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).*

A statewide 24-7 Sobriety program is established in the Office of Attorney General. Second or subsequent offenders of N.D.C.C. 39-08-01 shall be issued a temporary restricted license if participating in the twenty-four seven program.

**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.*

The 2007 Legislature authorized the Attorney General to establish a sobriety program pilot project called "24-7," the goal of which is to remove intoxicated drivers from the road and ultimately improve their ability to succeed in their treatment choices. This bill implements the 24-7 Sobriety program on a statewide basis.

Currently, temporary restricted licenses are denied for second or subsequent offenders of N.D.C.C. 39-08-01. Providing these could increase workload by 30-50% creating the need for a part-time employee depending on the actual volume of requests.

This bill has been amended. The amendments do not change the fiscal impact.

Subsequent to the amended version, a revision was made to this fiscal note to reflect expenditure and appropriation impacts that will affect the Office of the Attorney General.

The Office of the Attorney General will incur additional costs as a result of this bill. They will need one additional FTE and will incur estimated total costs of \$546,000 for the FTE, training, and program expenses. These expenses are reflected in the general fund columns in part 1A of this fiscal note.

**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.*

Based on available 2008 DUI date there were 4,650 first time and 1,750 second or subsequent offenders convicted. Current statute allows the 4,650 1st time offenders a temporary restricted license and of those only 1,461 were issued. This equates to 31.4% of eligible offenders requesting a temporary restricted license. Using this percentage as an estimate of second and subsequent offenders entering the Twenty-Four Seven Program and requesting a temporary restricted license is approximately 550 (1,750 x 31.4%).

DUI offenders are required to pay a reinstatement fee of \$100 and submit an application prior to being issued a temporary restricted license.

The revenue generated from issuing temporary restricted licenses to second and subsequent offenders is calculated as 550 requests x \$100 reinstatement fee = \$55,000.

2009-2011 Biennium ( $\$55,000 \times 2$ ) = \$110,000

It is anticipated that second or subsequent offenders will be reduced as a result of this program in conjunction with other statewide efforts.

2011-2013 Biennium ( $\$50,000 \times 2$ ) = \$100,000

The special funds revenue impact for the Office of Attorney General, cities, and counties is unknown.

This bill has been amended. The amendments do not change the revenue impact as previously reported.

**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.*

A part-time employee may be needed to help process the additional requests, answer phone calls, and draft correspondence to requestors. The estimated additional temporary restricted license requests would account for a 37.6% increase in workload.

Part-time employee = \$10,000 per year

2009-2011 Biennium = \$20,000

2011-2013 Biennium = \$20,000

This bill has been amended. The amendments do not change the fiscal impact as previously reported.

Subsequent to the amended version, a revision was made to this fiscal note to reflect expenditure and appropriation impacts that will affect the Office of the Attorney General. They will need one additional FTE and will incur estimated total costs of \$546,000 for the FTE, training, and program expenses. These expenses are reflected in the general fund columns in part 1A of this fiscal note.

**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.*

Appropriations needed would be for the additional part-time employee in the amount of \$20,000 per biennium.

This bill has been amended. The amendments do not change the fiscal impact as previously reported.

Subsequent to the amended version, a revision was made to this fiscal note to reflect expenditure and appropriation impacts that will affect the Office of the Attorney General. They will need one additional FTE and the appropriation of \$546,000 for the FTE, training, and program expenses. This is reflected in the general fund columns in part 1A of this fiscal note and is also contained in the bill.

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