

**FISCAL NOTE**  
**Requested by Legislative Council**  
**02/15/2017**

Amendment to: HB 1293

- 1 A. **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.*

|                       | 2015-2017 Biennium |             | 2017-2019 Biennium |             | 2019-2021 Biennium |             |
|-----------------------|--------------------|-------------|--------------------|-------------|--------------------|-------------|
|                       | General Fund       | Other Funds | General Fund       | Other Funds | General Fund       | Other Funds |
| <b>Revenues</b>       |                    |             | \$(89,500)         | \$107,400   | \$(89,500)         | \$107,400   |
| <b>Expenditures</b>   |                    |             |                    |             |                    |             |
| <b>Appropriations</b> |                    |             |                    |             |                    |             |

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

|                         | 2015-2017 Biennium | 2017-2019 Biennium | 2019-2021 Biennium |
|-------------------------|--------------------|--------------------|--------------------|
| <b>Counties</b>         |                    |                    |                    |
| <b>Cities</b>           |                    |                    |                    |
| <b>School Districts</b> |                    |                    |                    |
| <b>Townships</b>        |                    |                    |                    |

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

Engrossed House Bill No. 1293 with Senate amendments provides for a \$250 fine for trespass violations. The fine could be assessed as an alternative to the criminal offense.

- 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.*

There were 308 criminal trespass cases in 2015 and 408 in 2016. It is anticipated that the \$125 criminal court administration fee applied to class B misdemeanors and the \$100 court administration fee applied in all cases except infractions would in most cases no longer apply to trespassing on posted property. There however would be a fine of \$250 for trespassing violations.

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.*

Revenues collected from fines are deposited in the state tuition fund. The criminal court administration fee is deposited in the State General Fund and the \$100 court administration fee is allocated between the indigent defense administration fund and the court facilities improvement and maintenance fund.

The \$250 fine will generate approximately \$179,000 for the state tuition fund. It is estimated there will be a decrease in revenues collected from the criminal court administration fee of \$89,500 and the court administration fee of \$71,600

Marsy's law was implemented on December 15, 2006. This law changes the priority for applying moneys collected by the court system to the various fees assessed. It is possible the change in the priority schedule will have an impact on revenues collected from the two criminal fees identified in this fiscal note, but the impact cannot be determined.

- 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 or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

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**Date Prepared:** 02/15/2017