

**BILL SUMMARY**  
1<sup>st</sup> Session of the 52<sup>nd</sup> Legislature

<b>Bill No.:</b>	<b>HB 1800</b>
<b>Version:</b>	<b>Introduced</b>
<b>Author:</b>	<b>Representative Cooksey</b>
<b>Date:</b>	<b>February 5, 2009</b>
<b>Impact:</b>	<b>Revenue Decrease: \$329,000-\$345,000</b>

**Bill Summary**

Research Analyst:       Dusty Darr

This measure increases funding to municipal courts by allowing such courts to retain 10% of penalty assessments and other state fees from defendants, and by raising the maximum costs that may be charged and collected by municipal court clerks from \$25.00 to \$100.00 plus the fees and mileage of jurors and witnesses. In addition, municipal courts are permitted to file a claim against an income tax refund.

**Fiscal Summary**

Fiscal Analyst:           Marilyn Anderson

HB 1800, as introduced, authorizes municipal courts that collect penalty assessments and other state fees from defendants to retain ten percent of the money collected. The measure also increases the amount a municipal court clerk may collect for costs and allows municipal courts to file a claim with the Tax Commission for unpaid fines and cost.

**Fiscal Analysis**

Currently, municipal courts are authorized to retain \$0.08 for each penalty assessment or other state fee collected from a defendant. The Council on Law Enforcement Education and Training (CLEET) currently receives a \$9 penalty assessment fee, minus \$0.08 that the municipal court is authorized to retain. HB 1800 would reduce CLEET's penalty assessment by \$0.90. The fiscal impact would be a reduction in revenue to CLEET between \$ 329,000 and \$ 345,000 annually. Since CLEET's budget is funded 78% from the CLEET Fund, this reduction would require an additional appropriation in general revenue to balance the agency's budget.

**Long Term Fiscal Considerations**

County Courts currently have authorization to assess and retain administrative fees in addition to penalty assessments and other state fees they collect. Municipal courts could seek the same authority, which does not have a fiscal impact on state revenues.

Fiscal Analysis Reviewed by:

*Mark Tygret*  
House Fiscal Director

