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FISCAL IMPACT REPORT

SPONSOR:	Godbey	DATE TYPED:	02/03/00	HB	305
SHORT TITLE:	Inmate Civil Actions Restrictions			SB	
				ANALYST:	O'Connell

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY00	FY01	FY00	FY01		
		NFI	NFI		

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to

SOURCES OF INFORMATION

LFC files

Administrative Office of the Courts (AOC)

SUMMARY

Synopsis of Bill

House Bill 305 would impose restrictions on civil actions and appeals filed by prison inmates. Inmates filing civil actions must submit an affidavit and a certified copy of the inmate's trust fund account statement for the past six months to establish indigence. If the court allows the inmate to proceed as an indigent, the court must still require the inmate to pay the full amount of the filing fee through monthly payments based on trust fund account data. House Bill 305 requires the dismissal of a complaint if the court determines that an affidavit of indigence is false.

Significant Issues

House Bill 305 prohibits an inmate from filing a civil action if that inmate has had a complaint dismissed for being frivolous, malicious or without merit on three or more previous occasions. This restriction does not apply if the inmate is in imminent danger of serious physical injury or if an attorney certifies that the action is not frivolous.

BOC/gm