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FISCAL IMPACT REPORT



SPONSOR: Miera DATE TYPED: 01/23/02 HB 124

SHORT TITLE: Administering DWI Chemical Test SB _____

ANALYST: Wilson

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY02	FY03	FY02	FY03		
		See Narrative	\$0.1	Recurring	

SOURCES OF INFORMATION

Administrative Office of the Courts (AOC)
LFC files

SUMMARY

Synopsis of Bill

House Bill 124 amends current law to establish a time frame of less than three hours of the alleged driving while under the influence of intoxicating liquor, to administer a chemical test to determine a person's blood or breath alcohol concentration. If the chemical test is administered more than three hours after the alleged driving while under the influence of intoxicating liquor, the test result is still admissible as evidence of the alcohol concentration in the person's blood or breath at the time of the alleged driving and the trier of fact shall determine what weight to give the test result.

Significant Issues

If the law enforcement agencies are unable to administer the chemical test within three hours the prosecution of the case will be more difficult.

FISCAL IMPLICATIONS

The AOC believes that HB 124 could result in an increased number of jury trials which may increase costs by an unknown amount.

ADMINISTRATIVE IMPLICATIONS

There may be an administrative impact on the courts as a result of increased jury trials and the amount of time necessary to dispose of those cases.

ADMINISTRATIVE IMPLICATIONS

The AOC states that there may be an administrative impact on the courts as a result of increased jury trials and amount of time necessary to dispose of the cases impacted by SB 124.

DW/ar