

municipal courts. The amendment removes any positive fiscal impact that might have been seen as a result of increased fine revenues.

Synopsis of Original Bill

House Bill 337 amends the Municipal Code to increase the authority of municipal and metropolitan courts to impose fines of up to \$1,000 and/or imprisonment for up to 179 days for violations of any municipal ordinance. The maximum fine under current statute is \$500; the maximum jail sentence is currently ninety days. The two exceptions, for which specific statutory language exists, are driving while under the influence of intoxicating liquor or drugs and violations of an industrial user wastewater pretreatment ordinance.

Significant Issues

Neither the AOC nor Bernalillo County Metropolitan Court noted a need for increased fines and jail terms. They did note, however, that the bill would potentially increase their workloads. See below under “Fiscal Implications” and “Administrative Implications.”

FISCAL IMPLICATIONS

There might be implications for local governments if increased jail sentences are imposed and their correctional facilities experience greater use. Also, as pointed out by Bernalillo County Metropolitan Court, there would be potential fiscal and administrative implications for its probation officers. Because the jail sentences could be longer under this bill, those convicted under municipal ordinances could be placed on probation for longer periods of time. The Metro Court notes that the supervision time of probation officers or of community services staff would also be longer.

There might also be positive revenue implications if higher fines are assessed. Fines imposed by municipal courts go to local government funds; fines imposed by Bernalillo County Metropolitan Court go to the state general fund.

ADMINISTRATIVE IMPLICATIONS

As described above, there would be administrative implications for municipal and metropolitan courts as they would potentially see more crowded jail facilities and greater workloads.

POSSIBLE QUESTIONS

1. What is the need for increased fines and jail terms for violations of municipal ordinances?
2. If the intention is to provide a greater deterrent, is there data to show that higher fines and longer jail terms are effective?
3. What are examples of some of the violations for which a person could be sentenced to 179 days in jail if this bill is enacted?
4. Do municipal jails have the resources to deal with the extended jail terms that may result if this bill is passed?