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FISCAL IMPACT REPORT

SPONSOR: Griego DATE TYPED: 02/25/03 HB _____

SHORT TITLE: Court of Appeals Office Improvements SB 630

ANALYST: Hayes

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
	\$37.3		See Narrative	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Duplicates Appropriation in the General Appropriation Act

SOURCES OF INFORMATION

Responses Received From
Administrative Office of the Courts (AOC)

SUMMARY

Synopsis of Bill

Senate Bill 630 appropriates \$37.3 to the Administrative Office of the Courts (AOC) from the general fund in order to provide additional funding for travel, education, technology improvements and operating costs for the Court of Appeals. Ten thousand dollars (\$10.0) of this appropriation is nonrecurring funding to be used for design improvements for the Court of Appeals office building at the UNM Law School.

Significant Issues

1. According to the Judicial Education Center, virtually all of the funding for CLE, education and travel for judges, magistrates and magistrate court clerks is provided by the judicial education fund administered by the Judicial Education Center. In FY04, the LFC's recommended funding for travel, mileage and education funding for the Court of Appeals is \$26.3, and the court can also receive funding from the judicial education fund.
2. In regards to the Court of Appeals need for "operating costs," it is unknown what is being requested. The court's recommended budget for the Other Costs category is flat for FY04.

3. The \$10.0 requested for design and remodeling of the Court of Appeals office building in Albuquerque to provide for an additional judge. The one-time appropriation would be for design and construction of an office for an additional judge. In the meantime, HAFC has approved \$10.0 in nonrecurring funding for this construction.

FISCAL IMPLICATIONS

Of the \$37.3 appropriation contained in this bill, \$27.3 is a recurring expense to the general fund and \$10.0 is non-recurring. Any unexpended or unencumbered balance remaining at the end of fiscal year 2004 shall revert to the general fund.

The LFC also did not recommend any of the additional funding during the budget cycle as requested in this bill because of the Court of Appeals general fund reversions. In the last three fiscal years, the court has reverted over \$100.0 (see below).

<u>FY00</u>	<u>FY01</u>	<u>FY02</u>
\$22,884	43,693	\$57,000*

**This is the Court of Appeals estimate. Final audit report has not yet been received to confirm exact general fund reversion amount.*

TECHNICAL ISSUES

If enacted, funding related to the Court of Appeals outlined in this bill should be appropriated directly to the Court of Appeals, not the Administrative Office of the Courts.

CMH/sb