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FISCAL IMPACT REPORT

ORIGINAL DATE 2/1/06

SPONSOR Silva LAST UPDATED HB 421

SHORT TITLE Local Government Misdemeanor Assessment Costs SB

ANALYST Hoffmann

Relates to Appropriation in the General Appropriation Act

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Non-Rec	Fund Affected
FY06	FY07	FY08		
	\$265.4		Recurring	Bernalillo local government cor- rections fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)

Department of Finance and Administration, Local Government Division (DFA)

Bernalillo County Metropolitan Court (BCMC)

SUMMARY

Synopsis of Bill

House Bill 421 amends Section 66-8-116.3 NMSA to impose a ten dollar (\$10.00) assessment to help defray the costs of local government corrections. The \$10.00 charge is in addition to the penalty established for each penalty assessment misdemeanor and applies only to a county with a metropolitan court.

FISCAL IMPLICATIONS

According to the Motor Vehicle Division, 26,541 citations were filed in fiscal year 2005 from Bernalillo County. The assessment of \$10.00 to these citations will result in projected increased revenue of \$265,410 to Bernalillo County for its corrections operations, based on fiscal year 2005 citation filings.

Under the current statute, violators of penalty assessment misdemeanors in counties without a metropolitan court pay \$20.00 for each penalty misdemeanor to help defray to costs of local government corrections. Violators of penalty assessment misdemeanors in Bernalillo County, are exempt from having to pay any correction when pleading guilty to a citation filed with MVD.

If adopted, HB 421 will remove the exemption for counties with metropolitan courts, and the \$10.00 penalty assessment fee will help defray the costs of local government corrections in Bernalillo County.

SIGNIFICANT ISSUES

According to the Bernalillo County Metro Court, this revenue does not accrue to Bernalillo County Metro Court, but is transferred to the Motor Vehicle Division, who transfers it to through the Local Government Division to Bernalillo County.

ADMINISTRATIVE IMPLICATIONS

The Bernalillo County Metro Court notes that “moderate clerical and accounting adjustments would be required to correctly account for the additional local government corrections collections.” No specific cost or labor increases were given.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Bernalillo County would continue to be the only county within the state that is unable to collect a penalty assessment corrections fee to help defray the costs of local government corrections.

CH/nt