

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current FIRs (in HTML & Adobe PDF formats) are available on the NM Legislative Website (legis.state.nm.us). Adobe PDF versions include all attachments, whereas HTML versions may not. Previously issued FIRs and attachments may be obtained from the LFC in Suite 101 of the State Capitol Building North.

## FISCAL IMPACT REPORT

	<b>ORIGINAL DATE</b> 2-4-06		
<b>SPONSOR</b>	Robinson	<b>LAST UPDATED</b>	<b>HB</b>
	SHERIFF'S ARREST & BENCH WARRANT		
<b>SHORT TITLE</b>	ENFORCEMENT	<b>SB</b>	439
			<b>ANALYST</b> Hadwiger

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY06	FY07		
	\$100.0	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to Appropriation in the General Appropriation Act appropriations to courts from the warrant enforcement funds.

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Administrative Office of the Courts (AOC)

Department of Finance and Administration (DFA)

### SUMMARY

#### Synopsis of Bill

Senate Bill 439 appropriates \$100 thousand from the general fund to the Local Government Division (LGD) of the Department of Finance and Administration (DFA) in FY07 to support county sheriffs' enforcement of arrest and bench warrants.

### FISCAL IMPLICATIONS

The appropriation of \$100 thousand contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY07 would revert to the general fund.

AOC indicated there may be a small fiscal impact to that agency if the warrant enforcement division coordinates additional warrant round-ups with county law enforcement.

## **SIGNIFICANT ISSUES**

Enforcement of outstanding warrants helps put teeth into court warrants. In some parts of New Mexico in the past, warrant enforcement has been uneven or warrants have been enforced only when violators were apprehended for a subsequent offense. The funds in this bill would encourage New Mexico sheriffs to enforce outstanding warrants.

DFA indicated that there is an estimated 80,000 outstanding bench warrants throughout the State of New Mexico. This appropriation will be used to assist county sheriff departments fund overtime pay for deputies to serve some of these bench warrants.

AOC noted that Additional efforts by law enforcement to enforce arrest and bench warrants have the potential to increase the collection of fines and fees in the magistrate courts. However, it would be difficult at this time to measure the significance of the increase.

## **PERFORMANCE IMPLICATIONS**

Additional efforts by law enforcement to enforce arrest and bench warrants have the potential to increase the number of cases adjudicated in the magistrate courts, thus reducing the number of pending cases in warrant status.

## **ADMINISTRATIVE IMPLICATIONS**

DFA indicated it will be necessary for LGD to determine the method of distribution of funds, if appropriated but that LGD has the capacity to fund and monitor the project. AOC indicated There may be a small fiscal impact to the agency if the warrant enforcement division coordinates additional warrant round-ups with county law enforcement.

## **TECHNICAL ISSUES**

DFA suggested the bill might be amended to specify a method to allocate the funds among the counties.

DH/nt