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FISCAL IMPACT REPORT

ORIGINAL DATE 2/3/09

SPONSOR P. Campos LAST UPDATED _____ HB _____

SHORT TITLE San Miguel County Probate Records SB 352

ANALYST C. Sanchez

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
\$0.0	\$75.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY09	FY10	FY11	3 Year Total Cost	Recurring or Non- Rec	Fund Affected
Total	Indeterminate	Indeterminate	Indeterminate	Indeterminate	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)
Department of Finance Administration (DFA)

SUMMARY

Synopsis of Bill

SB 352 appropriates \$75,000 to fund a full-time clerk in the San Miguel County probate court. A clerk currently serves in the San Miguel County probate court, but funding for this position expires at the end of FY 09. SB 352 appropriates \$75,000 to fund the probate clerk through FY 10 and FY 11.

The probate clerk's duties are twofold:

1. Perform scheduling, process all incoming paperwork, including examining the paperwork for completeness.

2. clean up and reorganize the existing probate court files

The funds will also be used for travel, office supplies, and clerk training.

FISCAL IMPLICATIONS

SB appropriates \$75 thousand to fund a clerk in the San Miguel County probate court.

According to the December 2008 revenue estimate, FY10 recurring revenue will only support a base expenditure level that is \$293 million, or 2.6 percent, less than the FY09 appropriation. All appropriations outside of the general appropriation act will be viewed in this declining revenue context.

SIGNIFICANT ISSUES

As drafted, this bill appropriates \$75,000 to the Administrative Office of the Courts. The AOC does not distribute funding for the state probate courts. Funding should be appropriated to the local government division of the Department of Finance and Administration for the San Miguel County Probate Court.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The San Miguel county probate court will not receive funding for a clerk.

CS/mc