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FISCAL IMPACT REPORT

SPONSOR Balderas DATE TYPED 1/31/05 HB 384

SHORT TITLE Domestic Violence Treatment Fee Application SB _____

ANALYST Dunbar

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	See Narrative				Domestic Violence Offenders Treatment fund

(Parenthesis () Indicate Expenditure Decreases)

REVENUE

Estimated Revenue		Subsequent Years Impact	Recurring or Non-Rec	Fund Affected
FY05	FY06			
	See Narrative			Domestic Violence Offenders Treatment Fund

(Parenthesis () Indicate Revenue Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)

Public Defender Office (PDE)

Children Youth and Families Department (CYFD)

SUMMARY

Synopsis of Bill

House Bill 384 amends Section 31-12-12 NMSA 1978 (being Laws 2003, Chapter 387, Section) to include the domestic violence offender treatment fee to be collected upon conviction from per-

sons convicted of violating any provision of the Motor Vehicle Code involving the operation of a motor vehicle.

The bill also amends Section 66-8-116.3 NMSA (Penalty Assessment Misdemeanors--Additional Fees) to include a domestic violence offender treatment fee of five dollars (\$5.00), which shall be credited to the domestic violence offender treatment fund.

Significant Issues

The additional imposition of this fee will not increase the collections of the domestic violence offender treatment fee in the courts. The courts currently assess and collect a \$5.00 fee from persons convicted of a penalty assessment misdemeanor, traffic violation, petty misdemeanor, and misdemeanor or felony offense to be deposited into the domestic violence offender treatment fund. However, this new additional language will mandate the Motor Vehicle Division to assess and collect this \$5.00 fee and deposit into the domestic violence offender treatment fund. The increase in collections of this fee will be attributable to the Motor Vehicle Division collections only.

FISCAL IMPLICATIONS

The bill amends Section 66-8-116.3 NMSA (Penalty Assessment Misdemeanors--Additional Fees) to include a domestic violence offender treatment fee of five dollars (\$5.00), which shall be credited to the domestic violence offender treatment fund.

BD/yr:lg