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## FISCAL IMPACT REPORT

ORIGINAL DATE 2/1/06

SPONSOR Smith LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Severance Tax Bond Court Projects SB 561

ANALYST Kehoe

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY06	FY07		
\$33,500.0		Non-Recurring	Severance Tax Bond Capacity

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files  
Administrative Office of the Courts (AOC)

### SUMMARY

#### Synopsis of Bill

Senate Bill 561 authorizes the issuance of Severance Tax Bonds (STBs) plan, design, construct, renovate, expand, or make mechanical upgrades to seven judicial complexes; and to plan, design, and construct a new Court of Appeals building.

### FISCAL IMPLICATIONS

The Severance Tax Bond capacity available for capital outlay projects in 2006 totals \$244.3 million. The capital projects totaling \$33.5 million within this bill meet the definition of “capital projects” for funding from severance tax bond capacity.

### SIGNIFICANT ISSUES

According to statute, housing district courts is the responsibility of the counties. However, the Legislature has authorized state funding for district court facilities in previous years. Housing for the Court of Appeals is a state responsibility. According to the Administrative Office of the Courts, the judiciary prioritized courthouse renovations and new facilities as part of the unified budget. The Court of Appeals project is the judiciary’s priority capital project.

Since its inception 40 years ago, the Court of Appeals has grown from four to ten members who

have been housed partly in the Supreme Court building and partly in a satellite office adjacent to the Law School in Albuquerque.

Both spaces occupied by the court are inadequate and their sharing of offices is causing crowding and unsafe conditions for other users of current facilities. A new facility on land to be donated by the University of New Mexico will house the full court in one building, promote public efficiency and make the court more accessible to the communities from which the bulk of its cases originate. A new library would not be necessary, inasmuch as the proposed court would be in close proximity to the UNM Law Library. In addition to providing an efficient setting for appellate court proceedings, the Supreme Court will gain much needed space, and commute time for court personnel and litigants would be reduced. The courts close proximity to the Law School will provide opportunities for enhanced legal research, student internships, shared library material and other tangible aspects.

### **OTHER SUBSTANTIVE ISSUES**

On behalf of the Supreme Court Law Library, Court of Appeals, Jury and Witness program, Magistrate Courts, and all 13 judicial district courts, AOC will request \$7.5 million for a variety of capital outlay needs of the courts. State law requires counties to provide a building space for the courts located throughout the state; however, the courts are responsible for furnishing, equipping and maintaining the interior needs of the courts. A majority of the requests pertain to surveillance and security upgrades, assistive listening equipment, video arraignment and communication equipment, storage equipment, and replacement of furniture more than 30 years old.

LMK/yr