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## FISCAL IMPACT REPORT

ORIGINAL DATE 2/25/15

SPONSOR Stewart LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE County Public Defender Facilities SB 536

ANALYST Jorgensen

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY15	FY16	FY17	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>PDD</b>	NFI	\$2,500	\$2,500	\$5,000	Recurring	PDC Operating Budget
<b>Counties</b>	NFI	(\$2,500)	(\$2,500)	(\$5,000)	Recurring	County Operating Budgets

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Public Defender Department (PDD)

New Mexico Association of Counties (NMAC)

### SUMMARY

#### Synopsis of Bill

Senate Bill 536 requires counties to provide adequate facilities and necessary utility and maintenance services for the operations of the PDD. The facilities must be separate from the facilities of the district attorneys.

### FISCAL IMPLICATIONS

The PDD operates offices in 12 of New Mexico's 33 counties and pays annual costs for office rent and utility costs of approximately \$2.5 million. Enactment of the provisions of SB 536 would shift the burden of facility rental cost from the PDD to the counties.

The estimated additional operating budget impact table above reflects the current costs to the PDD of renting the office space currently used. If, as a result of the enactment of this legislation, the PDD opened additional offices, counties would face higher facility costs while the PDD would realize greater savings.

**SIGNIFICANT ISSUES**

The counties are currently responsible for providing facilities for courts and district attorneys.

The NMAC state that requiring counties to provide facilities for public defender operations would be an unfunded burden for county government. To require counties to provide facilities for public defender operations, a state obligation and program, would result in counties having to cut back on essential services and programs. It could have catastrophic consequences.

CJ/aml/bb