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## FISCAL IMPACT REPORT

**ORIGINAL DATE** 1/27/17

**SPONSOR** Gentry/Cook      **LAST UPDATED** 2/22/17      **HB** 261/aHAFC/aSJC/ec

**SHORT TITLE** Additional Court Funding      **SB** \_\_\_\_\_

**ANALYST** Downs

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY17	FY18		
\$80.0	\$0.0	Nonrecurring	General Fund
\$1,603.4	\$0.0	Nonrecurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Conflicts and duplicates portions of Senate Bill 130 and House Bills 2 and 238

### SOURCES OF INFORMATION

LFC Files

### SUMMARY

#### Synopsis of Senate Judiciary Committee Amendment

The Senate Judiciary Committee amendment to House Bill 261 as amended by the House Appropriations and Finance Committee struck the additional \$3 thousand appropriation added to the Supreme Court by the House Appropriations and Finance Committee, leaving the amount at the original \$80 thousand, and increased the appropriation to the Jury and Witness fund from \$593 thousand to the full shortfall amount of \$1.6 million.

#### Synopsis of House Appropriations and Finance Committee Amendment

The House Appropriations and Finance Committee amendment to House Bill 261 reduced the appropriation to the Administrative Office of the Courts for the Jury and Witness fund to \$593 thousand, and increased the appropriation to the Supreme Court to \$83 thousand. The amendment eliminated the appropriation to the 12th Judicial District Court.

#### Synopsis of Original Bill

House Bill 261 appropriated \$80 thousand to the Supreme Court for fiscal year 2017 shortfalls, \$800 thousand to the Administrative Office of the Courts for fiscal year 2017 Jury and Witness

fund shortfalls, and \$37.1 thousand to the 12<sup>th</sup> Judicial District Court for fiscal year 2017 operational needs. House Bill 261 contained an emergency clause for immediate effect.

### **FISCAL IMPLICATIONS**

The total appropriation of \$1.7 million contained in this bill as amended is a nonrecurring expense to the general fund. The Jury and Witness fund does not revert.

The Supreme Court faces a shortfall of approximately \$80 thousand in the currently fiscal year, which will cause the court to furlough staff if it is not addressed. The Board of Finance approved a loan of approximately \$80 thousand for this purpose, which will be repaid with the funds contained in this bill.

The AOC faces a shortfall of \$1.6 million for the current fiscal year stemming from chronic deficits within the Jury and Witness fund and an increase in jury trials in some judicial districts. The appropriation of \$1.6 million will allow the judicial system to continue jury trials through the remainder fiscal year. The Board of Finance approved a loan in the amount of \$593 thousand, which will be repaid with a portion of the appropriation in this bill.

### **CONFLICT**

House Bill 261 relates to the special appropriations contained in Senate Bill 130 and House Bills 2 and 238.

### **CONSEQUENCES OF NOT PASSING**

The Board of Finance loan for the Supreme Court will convert in to a grant, and the Board of Finance loan for the Jury and Witness fund of \$593 thousand will convert into a grant. The remaining shortfall in the Jury and Witness fund will remain and jury trials will be suspended statewide on April 15, resulting in cases being held indefinitely and defendants being denied due process or re-released into communities.

JD/jle/al/sb