

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5016-01
Bill No.: HB 1211
Subject: Courts; Counties; Cities, Towns and Villages; Boards, Commissions, Committees, Councils
Type: Original
Date: January 31, 2012

Bill Summary: This proposal authorizes Franklin County to establish a municipal court and specifies four year terms for the judges.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Total Estimated Net Effect on FTE	0	0	0

- Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).
- Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Local Government	(Unknown)	(Unknown)	(Unknown)

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator (CTS)** state the proposed legislation would allow Franklin County to establish a municipal court to prosecute ordinance violations. The court would have jurisdiction over county ordinances and municipal ordinances if the municipality contracts with the court to prosecute municipal violations.

CTS states ordinance violations are the least time consuming in terms of clerical workload, so they would not anticipate a significant decrease in the workload of the circuit court. CTS is unable, at this time, to estimate the impact on the costs and fees assessed in each case.

CTS does not anticipate any significant cost or savings to the state as a result of this proposal.

Officials from the **Department of Elementary and Secondary Education (DES)** state that this proposal may reduce the amount of fine revenue generated and distributed to districts in Franklin County. DES also states that it is impossible to estimate this reduction in revenue.

Oversight assumes this proposal is permissive and would have no fiscal impact to Franklin County, unless the County Commission, at their discretion, would establish a county municipal court. The county would have the cost of staffing, maintaining, and administering the court. This proposal does not require the Franklin County Commission to establish a county municipal court system. **Oversight** assumes no fiscal impact.

Officials from the **County of Franklin** did not respond to Oversight's request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2013 (10 Mo.)	FY 2014	FY 2015
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2013 (10 Mo.)	FY 2014	FY 2015
LOCAL POLITICAL SUBDIVISIONS			
<u>Loss - Fine Revenue</u>			
Reduction of fine revenue previously distributed to districts in Franklin County	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
NET ESTIMATED EFFECT ON LOCAL POLITICAL SUBDIVISIONS	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

This bill authorizes Franklin County to prosecute and punish violations of its county orders in the circuit court or in a county municipal court if the creation of a county municipal court is approved by an order of the county commission.

The Franklin County commission must appoint the first judges for a term of four years, and thereafter the judges must be elected for a term of four years. The commission must establish by order the number of judges to be appointed and the qualifications for their appointment.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

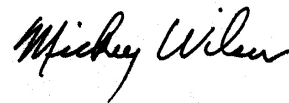
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SOURCES OF INFORMATION

Office of the State Courts Administrator
Department of Elementary and Secondary Education

NOT RESPONDING

County of Franklin

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive style with a large initial "M".

Mickey Wilson, CPA
Director
January 31, 2012