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[SF 457](#) – Criminal Surcharge and Court Fee Reform (LSB1922SZ)  
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Fiscal Note Version – As amended and passed by the Senate

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**Description**

[Senate File 457](#) relates to surcharges added to criminal penalties, court funds, civil fees, misdemeanor and felony fines, and fines associated with scheduled violations.

**Division I — Surcharges Added to Criminal Penalties**

**Description**

Division I changes the name of the Criminal Penalty Surcharge to the Crime Services Surcharge and reduces the surcharge from 35.0% to 10.0% of the fine or forfeiture imposed. Under Division I, the Crime Services Surcharge is distributed as follows: 85.0% is remitted to the State, and the remaining 15.0% is remitted to the county treasurer of the county or the city clerk of the city that was the plaintiff in the action. Of the amount remitted to the State, 59.0% is deposited in the Victim Compensation Fund, 38.0% is deposited in the Criminalistics Laboratory Fund, and 3.0% is deposited in the Drug Abuse Resistance Education (DARE) Fund established in Iowa Code section 80E.4.

Division I combines the surcharges under Iowa Code sections [911.2B](#)<sup>1</sup> and [911.2C](#)<sup>2</sup> into a single surcharge of \$90 per applicable offense. The surcharge is assessed if an adjudication of guilt or deferred judgment has been entered for a violation of Iowa Code section [708.2A](#), [708.11](#), or [710A.2](#), or Iowa Code chapter [709](#), or if a defendant is held in contempt of court for violating a domestic abuse protective order issued pursuant to Iowa Code chapter [236](#).

Division I creates the Agricultural Property Offense Surcharge under Iowa Code section 911.5. The surcharge requires that a person convicted of a crime relating to agricultural property is subject to a surcharge equal to \$500. The collections generated from the assessment of the surcharge are required to be remitted by the clerk of court to the State Court Administrator and appropriated to the Court Technology and Modernization Fund for the purpose of supporting Judicial Branch operations. The agricultural property offense must involve either the theft of agricultural property or criminal mischief for damaging, defacing, altering, or destroying agricultural property. The Division details which type of crimes will require the assessment of the Agricultural Property Offense Surcharge and defines the term “agricultural property.”

Division I repeals the Law Enforcement Initiative Surcharge in Iowa Code section [911.3](#) and the DARE Surcharge in Iowa Code section [911.2](#).

See **Attachments A** and **B** for the distribution of the Criminal Penalty Surcharge under current law and the proposed Crime Services Surcharge distribution under [SF 457](#).

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<sup>1</sup> Domestic abuse assault, sexual abuse, stalking, and human trafficking victim surcharge.

<sup>2</sup> Domestic abuse protective order contempt surcharge.

## **Background**

### Criminal Penalty Surcharge — Iowa Code Section [911.1](#)

When the court imposes a fine or forfeiture for a violation of State law or a city or county ordinance, except a parking ordinance, the clerk of court imposes an additional penalty in the form of a Criminal Penalty Surcharge equal to 35.0% of the fine or forfeiture imposed by the Court. This surcharge does not apply to civil penalties.

Under current law, the Criminal Penalty Surcharge revenue is divided as follows: 95.0% is remitted to the State, and the remaining 5.0% is remitted to the county treasurer of the county or the city clerk of the city that was the plaintiff in the action. Of the amount remitted to the State, 17.0% is deposited in the Victim Compensation Fund, and 83.0% is deposited in the State General Fund. Refer to the Legislative Services Agency (LSA) **Fiscal Topic** [Criminal Fine Revenue and Surcharge Distribution](#) for further information.

The Victim Compensation Fund is established under Iowa Code section [915.94](#), and the Criminalistics Laboratory Fund is established under Iowa Code section [691.9](#).

### Domestic Abuse Surcharges — Iowa Code Sections [911.2B](#) and [911.2C](#)

Currently, under Iowa Code section [911.2B](#), in addition to any other surcharge, a surcharge of \$100 is assessed if an adjudication of guilt or a deferred judgment has been entered for a violation of Iowa Code section [708.2A](#), [708.11](#), or [710A.2](#), or Iowa Code chapter [709](#). Under Iowa Code section [911.2C](#), a surcharge of \$50 is assessed against a defendant who is held in contempt of court for violating a domestic abuse protective order. The revenue collected from assessment of the [911.2B](#) and [911.2C](#) surcharges is deposited in the Address Confidentiality Revolving Fund established in Iowa Code section [9.8](#).

### Law Enforcement Initiative Surcharge — Iowa Code Section [911.3](#)

Under current law, in addition to any other surcharge, the court is required to assess a Law Enforcement Initiative Surcharge of \$125 if an adjudication of guilt or a deferred judgment has been entered for a criminal violation under any of the following: Iowa Code chapter [124](#), [155A](#), [453B](#), [713](#), [714](#), [715A](#), or [716](#), or Iowa Code section [719.7](#), [719.8](#), [725.1](#), [725.2](#), or [725.3](#). The collections generated from the assessment of the surcharge are deposited in the State General Fund.

### Drug Abuse Resistance Education Surcharge — Iowa Code Section [911.2](#)

Currently, in addition to any other surcharge, the court is required to assess a DARE Surcharge of \$10 if a violation arises out of a violation of an offense provided for in Iowa Code chapter [321J](#) or chapter [124](#), [subchapter IV](#). The collections generated from the assessment of the surcharge are deposited in the State General Fund, and the amount deposited is appropriated to the Governor's Office of Drug Control Policy for use by the DARE Program and other programs with a similar purpose.

## **Assumptions**

- The following collection rates from FY 2018 will remain consistent:
  - Criminal Penalty Surcharge — 44.8%
  - Municipal Infractions — 37.2%
  - Simple Misdemeanors — 29.9%
  - Serious Misdemeanors — 21.3%
  - Aggravated Misdemeanors — 13.7%
  - Felonies — 13.4%
- Deposits to the Victim Compensation Fund will increase by 14.0% under the provisions of this Bill.

- A 9.0% increase in fines assessed for misdemeanors and felonies is revenue neutral to collections to the General Fund from the Law Enforcement Initiative Surcharge under current law.
- A 28.0% increase in fines under the provisions of this Division is revenue neutral to the General Fund fine and surcharge revenue under current law.
- Approximately 55.0% of fine revenue is from nonscheduled fines.
- In FY 2018, \$15.9 million of the Criminal Penalty Surcharge collections was distributed to the State. In FY 2017, \$15.6 million of the Criminal Penalty Surcharge collections was distributed to the State. The Criminal Penalty Surcharge collection levels will remain consistent.
- The average collections and assessments from the following fines and surcharges in FY 2017 and FY 2018 will remain consistent:
  - [911.2B Surcharge \(Domestic Abuse\)](#): An average of \$285,000 was assessed each fiscal year. The average number of assessments each fiscal year was 2,817.
  - [911.2C Surcharge \(Domestic Abuse\)](#): An average of \$40,825 was assessed each fiscal year. The average number of assessments each fiscal year was 817.
  - [Law Enforcement Initiative Surcharge](#): An average of \$4.1 million was assessed and an average of \$2.4 million was collected each year.
  - [Scheduled and Nonscheduled Fines](#): An average of \$85.7 million was assessed and an average of \$68.5 million was collected each year.
  - [DARE Surcharge](#): An average of \$138,000 was collected each year.

## **Fiscal Impact**

### Crime Services Surcharge and Law Enforcement Initiative Surcharge

Division I is estimated to be revenue neutral to the General Fund. Under current law, the General Fund portion of the Criminal Penalty Surcharge distribution is approximately 28.0% of the fine. Under Division IV, the scheduled fines are increased by approximately 28.0%. Due to this increase, the collections revenue to the General Fund is estimated to remain revenue neutral. Under Division V, the misdemeanor and felony fines are increased by approximately 37.0%. This is equal to both the General Fund portion of the Criminal Penalty Surcharge and the General Fund revenue from the Law Enforcement Initiative Surcharge.

The increase in fine amounts and the new percentage distribution under Division I of this Bill are estimated to generate an increase of \$370,000 in revenue to the Victim Compensation Fund and \$2.0 million in additional revenue to the Criminalistics Laboratory Fund, and provide for \$140,000 in collections to the DARE Fund, which is revenue neutral to the current DARE Program funding generated by the DARE Surcharge. In addition, the increase and new distribution provide for revenue neutral surcharge collections for the cities and counties.

The counties are estimated to have a 28.0% increase in revenue from eligible county ordinances due to the scheduled fine increases. Under Iowa Code section [602.8106\(3\)](#), the counties receive fine revenue from county ordinances that are not already existing State law or related to speeding. There are very few county ordinances that would be eligible to receive fine revenue under this provision. In addition, cities are estimated to have a 25.0% increase in fine revenue from municipal infractions due to the scheduled fine increases. Under Iowa Code section [602.8106\(2\)](#), the State receives 10.0% and the city receives 90.0% of the fine from municipal infractions.

It is important to note that the increase in fine amounts may also result in additional revenue to the State General Fund from deferred judgments. When a defendant accepts a deferred judgment, the criminal fine is converted to a civil penalty. Typically, the civil penalty is the minimum amount of the fine and the defendant is not assessed the applicable surcharges.

For information on the distribution of the proposed fine amounts under the Crime Services Surcharge, see **Attachments A** and **C** to this document. **Attachments B** and **D** show the distribution under current law.

#### Domestic Abuse Surcharges

Division I is estimated to be revenue neutral to the Address Confidentiality Revolving Fund. Based on the total average amount assessed and collected from the Iowa Code sections [911.2B](#) and [911.2C](#) surcharges, the new surcharge of \$90 is estimated to be revenue neutral, with collections totaling approximately \$95,000.

#### Agricultural Property Offense Surcharge

The fiscal impact of this portion of Division I cannot be estimated because the current criminal code does not differentiate between theft and agricultural theft. Under this Division, the \$500 Agricultural Property Offense Surcharge would be applied in addition to the fine and surcharge imposed for a Class C or D felony or an aggravated misdemeanor. In FY 2018, the collection rate for fines and surcharges assessed on felonies was 13.4%, and the rate for an aggravated misdemeanor was 13.7%. Based on these collection rates, it is estimated that the Court Technology and Modernization Fund would receive approximately 13.6% of the amount assessed from the Agricultural Property Offense Surcharge.

### **Divisions II and III — Court Funds and Civil Fees**

#### **Description**

Division II increases the allocation to the Court Technology and Modernization Fund established in Iowa Code section [602.8108](#) (Distribution of court revenue) from \$1.0 million to \$9.0 million. Division II repeals the Enhanced Court Collections Fund established in Iowa Code section [602.1304\(2\)](#). Division II also provides that any unobligated or unencumbered moneys remaining in the Enhanced Court Collections Fund at the end of FY 2019 shall be transferred to the Court Technology and Modernization Fund.

Division III amends Iowa Code sections [602.8105](#) and [631.6](#) to increase fees in civil cases by \$20, except that no increase was made for an appeal from a judgment in small claims and the filing fee for an adoption was eliminated.

Division III provides that the Judicial Branch shall conduct a study to determine whether the current fee to appear pro hac vice is appropriate. If the Judicial Branch determines that the fee to appear pro hac vice is not appropriate, the Judicial Branch shall adjust the fee accordingly. The \$250 pro hac vice fee is assessed on out-of-state attorneys who submit an application to the Judicial Branch Office of Professional Regulation to appear in an Iowa case. The fee is deposited in the Client Security Trust Fund and the registration is valid for a period of five years.

#### **Background**

##### Court Technology and Modernization Fund — Iowa Code Section [602.8108\(9\)](#)

Of the fines and fees collected by the Judicial Branch, prior to their deposit in the General Fund, the State Court Administrator is permitted to annually allocate \$1.0 million to the Court Technology and Modernization Fund. The Fund is used to enhance the ability of the Judicial Branch to process cases quickly and efficiently; to electronically transmit information to State government, local governments, law enforcement agencies, and the public; and to improve public access to the court system.

##### Enhanced Court Collections Fund — Iowa Code Section [602.1304](#)

Currently, a maximum of \$4.0 million per year generated from the collection of fines, fees, civil penalties, costs, surcharges, and other revenues collected by the Judicial Branch is permitted to

be deposited into the Enhanced Court Collections Fund. Refer to the LSA **Budget Unit Brief [Enhanced Court Collections Fund](#)** for further information.

### **Assumptions**

- In FY 2018, approximately \$14.8 million was assessed from the civil fees outlined in Division III. The amount of civil fees assessed will remain consistent in future fiscal years.
- On average, 100.0% of civil fees assessed are collected.

### **Fiscal Impact**

Division III is estimated to increase General Fund revenue by approximately \$4.4 million. In addition, the 20.0% allocation from the dissolution of marriage filing fee intended for sexual assault and domestic violence centers, established in section 20 of the Bill, would increase revenue for this purpose by approximately \$50,000.

Division II increases the allocation to the Court Technology and Modernization Fund by \$8.0 million. This amount includes the current \$4.0 million allocation to the Enhanced Court Collections Fund, which is repealed under Division II, and an additional \$4.0 million from civil fee collections. After the allocation to the Court Technology and Modernization Fund, the General Fund will have an estimated \$400,000 in additional revenue.

## **Divisions IV and V — Scheduled Violations and Misdemeanor and Felony Fines**

### **Description**

Division IV reclassifies some simple misdemeanors as simple misdemeanors punishable as scheduled violations. Division IV raises nearly all of the fines for simple misdemeanors punishable as scheduled violations in Iowa Code sections [805.8A](#) (Motor vehicle and transportation), [805.8B](#) (Navigation, recreation, hunting, and fishing), and [805.8C](#) (Miscellaneous scheduled violations) by approximately 28.0%.

Division IV also modifies the public offense of unlawfully passing a school bus, which is a simple misdemeanor as a first offense. The Division raises the fine amount by 37.0% and provides that the Department of Transportation (DOT) must require the person who violates this provision to attend and successfully complete, at the person's own expense, a driver improvement program approved by the DOT instead of suspending the person's driver's license. The Division instructs the DOT to initiate rulemaking to implement the policy change and provides for an immediate effective date for the rulemaking provision. In addition, the new provision requires the Department to assess the person a civil penalty of \$200, or \$50 if the person is age 19 or under. The money collected from this penalty must be deposited into the Juvenile Detention Home Fund.

Division V modifies the minimum and maximum criminal fines for misdemeanors and felonies. For information on the proposed fine amounts and the fine distribution under the proposed Crime Services Surcharge, see the attachments to this document.

### **Fiscal Impact**

The Division IV sections reclassifying simple misdemeanors and raising nearly all of the fines for simple misdemeanors punishable as scheduled violations are not estimated to have a fiscal impact.

The provisions modifying the public offense of unlawfully passing a school bus are estimated to be revenue neutral to the Juvenile Detention Home Fund. The Juvenile Detention Home Fund provides funding to juvenile detention homes for the reimbursement of operation expenses. Currently, when a person commits a first offense of Iowa Code section [321.372\(3\)](#), the person's driver's license is suspended. When the license is reinstated, the person must pay a \$20

administrative fee to the DOT and a \$200 civil penalty, or \$50 if the driver is age 19 or under. The administrative fee is paid to the DOT directly, and the civil penalty is assessed by the DOT and paid to the Juvenile Detention Home Fund. With the modifications in Division IV, the driver's license would no longer be suspended and the license reinstatement fee and civil penalty would no longer be assessed. In FY 2018, there were 534 suspensions for first-time convictions of this violation and 469 licenses were reinstated. The loss of revenue from the license reinstatement fee is estimated to be minimal. Although the current civil penalty under Iowa Code section [321.372\(3\)](#) would no longer be assessed, the new provision establishes a new \$200 civil penalty to be assessed by the DOT on this offense and deposited into the Juvenile Detention Home Fund. Due to the new civil penalty, this provision is estimated to be revenue neutral.

Division V is estimated to be revenue neutral to the General Fund. The increased fines are estimated to result in revenue neutral collections to the General Fund after modification of the Criminal Penalty Surcharge and the removal of the Law Enforcement Initiative Surcharge. Refer to Division I of this **Fiscal Note** for further analysis of the fiscal impact of increasing the fines and modifying the Criminal Penalty Surcharge.

#### **Division VI — Criminalistics Laboratory Fund**

Division VI expands the funds permitted to be deposited in the Criminalistics Laboratory Fund to include collections from the Crime Services Surcharge. Division VI also expands the permitted uses of the Fund to include criminalistics laboratory supplies and the Department of Administrative Services Utility Service Fee for the Criminalistics Laboratory facility in Ankeny, in addition to the currently authorized criminalistics laboratory equipment and supply purchasing, maintenance, depreciation, and training.

#### **Fiscal Impact**

Division VI is not estimated to have a fiscal impact.

#### **Division VII — Drug Abuse Resistance Education Fund**

Division VII establishes a Drug Abuse Resistance Education Fund in the State Treasury under the control of the Governor's Office of Drug Control Policy for use by the Drug Abuse Resistance Education Program (DARE) and other programs with a similar purpose. The Division provides that the Fund shall consist of appropriations made to the Fund and transfers of interest, moneys collected from the Crime Services Surcharge, and earnings. In addition, Division VII provides that all moneys in the Fund are appropriated to the Governor's Office of Drug Control Policy and that any remaining balance in the Fund at the end of the fiscal year shall not revert.

#### **Fiscal Impact**

Division VII is not estimated to have a fiscal impact.

#### **Fiscal Impact Summary of [SF 457](#)**

**Table 1** summarizes the annual fiscal impact of Divisions I, IV, and V.

**Table 1 — Divisions I, IV, and V  
Crime Services Surcharge and Fine Modifications  
Annual Revenue Adjustments Beginning FY 2020**

<b>Fund</b>	<b>Annual Net Revenue Increase</b>
General Fund	\$ 0
Victim Compensation Fund	\$ 370,000
Criminalistics Laboratory Fund	\$ 2,000,000
DARE Fund	\$ 140,000
Address Confidentiality Revolving Fund	\$ 0
Juvenile Detention Home Fund	\$ 0

**Table 2** summarizes the annual fiscal impact of Division II on the Court Technology and Modernization Fund.

**Table 2 — Division II  
Court Technology and Modernization Fund  
Annual Revenue Increase Beginning FY 2020**

<b>Provision</b>	<b>Current Law</b>	<b>SF 225</b>	<b>Total</b>
Current Funding	\$ 1,000,000	\$ 0	\$ 1,000,000
Transfer of Enhanced Court Collections Fund	0	4,000,000	4,000,000
Additional Allocation	0	4,000,000	4,000,000
<b>Court Technology Fund Total</b>	<b>\$ 1,000,000</b>	<b>\$ 8,000,000</b>	<b>\$ 9,000,000</b>

**Table 3** summarizes the annual fiscal impact of Divisions II and III of the Bill on the State General Fund.

**Table 3 — Divisions II and III  
State General Fund  
Annual Revenue Increase Beginning FY 2020**

<b>Bill Division/Provision</b>	<b>Annual Revenue Increase</b>
III - Civil Fee \$20 Increase	\$ 4,400,000
II - Additional Allocation to Court Technology Fund	-4,000,000
<b>TOTAL</b>	<b>\$ 400,000</b>

**Sources**

Judicial Branch

Criminal and Juvenile Justice Planning Division, Department of Human Rights

LSA calculations and analysis

/s/ Holly M. Lyons

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March 13, 2019

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The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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**SF 457 Scheduled Fines — Proposed Crime Services Surcharge Distribution**

Current Fine	Fine Adjustment	Proposed Fine	10.0% Crime Services Surcharge	10.0% Surcharge Distribution		State Distribution			Court Costs	Proposed Total Fine
				15.0% to County/City	85.0% to State	59.0% to Victim Comp. Fund	38.0% to Criminalistics Lab Fund	3.0% to DARE Fund		
\$5.00	\$6.40	\$6.00	\$0.60	\$0.09	\$0.51	\$0.30	\$0.19	\$0.02	\$60.00	\$66.60
\$10.00	\$12.80	\$15.00	\$1.50	\$0.23	\$1.28	\$0.75	\$0.48	\$0.04	\$60.00	\$76.50
\$15.00	\$19.20	\$20.00	\$2.00	\$0.30	\$1.70	\$1.00	\$0.65	\$0.05	\$60.00	\$82.00
\$20.00	\$25.60	\$25.00	\$2.50	\$0.38	\$2.13	\$1.25	\$0.81	\$0.06	\$60.00	\$87.50
\$25.00	\$32.00	\$30.00	\$3.00	\$0.45	\$2.55	\$1.50	\$0.97	\$0.08	\$60.00	\$93.00
\$30.00	\$38.40	\$40.00	\$4.00	\$0.60	\$3.40	\$2.01	\$1.29	\$0.10	\$60.00	\$104.00
\$35.00	\$44.80	\$45.00	\$4.50	\$0.68	\$3.83	\$2.26	\$1.45	\$0.11	\$60.00	\$109.50
\$40.00	\$51.20	\$50.00	\$5.00	\$0.75	\$4.25	\$2.51	\$1.62	\$0.13	\$60.00	\$115.00
\$50.00	\$64.00	\$65.00	\$6.50	\$0.98	\$5.53	\$3.26	\$2.10	\$0.17	\$60.00	\$131.50
\$60.00	\$76.80	\$80.00	\$8.00	\$1.20	\$6.80	\$4.01	\$2.58	\$0.20	\$60.00	\$148.00
\$70.00	\$89.60	\$90.00	\$9.00	\$1.35	\$7.65	\$4.51	\$2.91	\$0.23	\$60.00	\$159.00
\$75.00	\$96.00	\$95.00	\$9.50	\$1.43	\$8.08	\$4.76	\$3.07	\$0.24	\$60.00	\$164.50
\$80.00	\$102.40	\$100.00	\$10.00	\$1.50	\$8.50	\$5.02	\$3.23	\$0.26	\$60.00	\$170.00
\$90.00	\$115.20	\$115.00	\$11.50	\$1.73	\$9.78	\$5.77	\$3.71	\$0.29	\$60.00	\$186.50
\$100.00	\$128.00	\$130.00	\$13.00	\$1.95	\$11.05	\$6.52	\$4.20	\$0.33	\$60.00	\$203.00
\$105.00	\$134.40	\$135.00	\$13.50	\$2.03	\$11.48	\$6.77	\$4.36	\$0.34	\$60.00	\$208.50
\$110.00	\$140.80	\$140.00	\$14.00	\$2.10	\$11.90	\$7.02	\$4.52	\$0.36	\$60.00	\$214.00
\$115.00	\$147.20	\$150.00	\$15.00	\$2.25	\$12.75	\$7.52	\$4.85	\$0.38	\$60.00	\$225.00
\$120.00	\$153.60	\$155.00	\$15.50	\$2.33	\$13.18	\$7.77	\$5.01	\$0.40	\$60.00	\$230.50
\$125.00	\$160.00	\$160.00	\$16.00	\$2.40	\$13.60	\$8.02	\$5.17	\$0.41	\$60.00	\$236.00
\$130.00	\$166.40	\$165.00	\$16.50	\$2.48	\$14.03	\$8.27	\$5.33	\$0.42	\$60.00	\$241.50
\$135.00	\$172.80	\$175.00	\$17.50	\$2.63	\$14.88	\$8.78	\$5.65	\$0.45	\$60.00	\$252.50
\$140.00	\$179.20	\$180.00	\$18.00	\$2.70	\$15.30	\$9.03	\$5.81	\$0.46	\$60.00	\$258.00
\$145.00	\$185.60	\$185.00	\$18.50	\$2.78	\$15.73	\$9.28	\$5.98	\$0.47	\$60.00	\$263.50
\$150.00	\$192.00	\$190.00	\$19.00	\$2.85	\$16.15	\$9.53	\$6.14	\$0.48	\$60.00	\$269.00
\$155.00	\$198.40	\$200.00	\$20.00	\$3.00	\$17.00	\$10.03	\$6.46	\$0.51	\$60.00	\$280.00

**Note:** The fine adjustment is the sum of the current fine and the General Fund portion of the Criminal Penalty Surcharge under current law. The General Fund portion of the Criminal Penalty Surcharge equals approximately 28.0% of the current fine.

**SF 457 Scheduled Fines — Proposed Crime Services Surcharge Distribution**

Current Fine	Fine Adjustment	Proposed Fine	10.0% Crime Services Surcharge	10.0% Surcharge Distribution		State Distribution			Court Costs	Proposed Total Fine
				15.0% to County/City	85.0% to State	59.0% to Victim Comp. Fund	38.0% to Criminalistics Lab Fund	3.0% to DARE Fund		
\$160.00	\$204.80	\$205.00	\$20.50	\$3.08	\$17.43	\$10.28	\$6.62	\$0.52	\$60.00	\$285.50
\$165.00	\$211.20	\$210.00	\$21.00	\$3.15	\$17.85	\$10.53	\$6.78	\$0.54	\$60.00	\$291.00
\$170.00	\$217.60	\$220.00	\$22.00	\$3.30	\$18.70	\$11.03	\$7.11	\$0.56	\$60.00	\$302.00
\$175.00	\$224.00	\$225.00	\$22.50	\$3.38	\$19.13	\$11.28	\$7.27	\$0.57	\$60.00	\$307.50
\$180.00	\$230.40	\$230.00	\$23.00	\$3.45	\$19.55	\$11.53	\$7.43	\$0.59	\$60.00	\$313.00
\$185.00	\$236.80	\$240.00	\$24.00	\$3.60	\$20.40	\$12.04	\$7.75	\$0.61	\$60.00	\$324.00
\$190.00	\$243.20	\$245.00	\$24.50	\$3.68	\$20.83	\$12.29	\$7.91	\$0.62	\$60.00	\$329.50
\$195.00	\$249.60	\$250.00	\$25.00	\$3.75	\$21.25	\$12.54	\$8.08	\$0.64	\$60.00	\$335.00
\$200.00	\$256.00	\$255.00	\$25.50	\$3.83	\$21.68	\$12.79	\$8.24	\$0.65	\$60.00	\$340.50
\$205.00	\$262.40	\$260.00	\$26.00	\$3.90	\$22.10	\$13.04	\$8.40	\$0.66	\$60.00	\$346.00
\$210.00	\$268.80	\$270.00	\$27.00	\$4.05	\$22.95	\$13.54	\$8.72	\$0.69	\$60.00	\$357.00
\$215.00	\$275.20	\$275.00	\$27.50	\$4.13	\$23.38	\$13.79	\$8.88	\$0.70	\$60.00	\$362.50
\$220.00	\$281.60	\$280.00	\$28.00	\$4.20	\$23.80	\$14.04	\$9.04	\$0.71	\$60.00	\$368.00
\$225.00	\$288.00	\$290.00	\$29.00	\$4.35	\$24.65	\$14.54	\$9.37	\$0.74	\$60.00	\$379.00
\$230.00	\$294.40	\$295.00	\$29.50	\$4.43	\$25.08	\$14.79	\$9.53	\$0.75	\$60.00	\$384.50
\$235.00	\$300.80	\$300.00	\$30.00	\$4.50	\$25.50	\$15.05	\$9.69	\$0.77	\$60.00	\$390.00
\$240.00	\$307.20	\$310.00	\$31.00	\$4.65	\$26.35	\$15.55	\$10.01	\$0.79	\$60.00	\$401.00
\$245.00	\$313.60	\$315.00	\$31.50	\$4.73	\$26.78	\$15.80	\$10.17	\$0.80	\$60.00	\$406.50
\$250.00	\$320.00	\$320.00	\$32.00	\$4.80	\$27.20	\$16.05	\$10.34	\$0.82	\$60.00	\$412.00
\$300.00	\$384.00	\$385.00	\$38.50	\$5.78	\$32.73	\$19.31	\$12.44	\$0.98	\$60.00	\$483.50
\$500.00	\$640.00	\$640.00	\$64.00	\$9.60	\$54.40	\$32.10	\$20.67	\$1.63	\$60.00	\$764.00
\$1,000.00	\$1,280.00	\$1,280.00	\$128.00	\$19.20	\$108.80	\$64.19	\$41.34	\$3.26	\$60.00	\$1,468.00
\$1,500.00	\$1,920.00	\$1,920.00	\$192.00	\$28.80	\$163.20	\$96.29	\$62.02	\$4.90	\$60.00	\$2,172.00
\$2,000.00	\$2,560.00	\$2,560.00	\$256.00	\$38.40	\$217.60	\$128.38	\$82.69	\$6.53	\$60.00	\$2,876.00

**Note:** The fine adjustment is the sum of the current fine and the General Fund portion of the Criminal Penalty Surcharge under current law. The General Fund portion of the Criminal Penalty Surcharge equals approximately 28.0% of the current fine.

**Current Law — Criminal Penalty Surcharge Distribution**

Current Fine	35.0% Criminal Penalty Surcharge	35.0% Surcharge Distribution		State Distribution		Court Costs	Total Fine
		5.0% to County/City	95.0% to State	17.0% to Victim Comp. Fund	83.0% to General Fund		
\$5.00	\$1.75	\$0.09	\$1.66	\$0.28	\$1.38	\$60.00	\$66.75
\$10.00	\$3.50	\$0.18	\$3.33	\$0.57	\$2.76	\$60.00	\$73.50
\$15.00	\$5.25	\$0.26	\$4.99	\$0.85	\$4.14	\$60.00	\$80.25
\$20.00	\$7.00	\$0.35	\$6.65	\$1.13	\$5.52	\$60.00	\$87.00
\$25.00	\$8.75	\$0.44	\$8.31	\$1.41	\$6.90	\$60.00	\$93.75
\$30.00	\$10.50	\$0.53	\$9.98	\$1.70	\$8.28	\$60.00	\$100.50
\$35.00	\$12.25	\$0.61	\$11.64	\$1.98	\$9.66	\$60.00	\$107.25
\$40.00	\$14.00	\$0.70	\$13.30	\$2.26	\$11.04	\$60.00	\$114.00
\$50.00	\$17.50	\$0.88	\$16.63	\$2.83	\$13.80	\$60.00	\$127.50
\$60.00	\$21.00	\$1.05	\$19.95	\$3.39	\$16.56	\$60.00	\$141.00
\$70.00	\$24.50	\$1.23	\$23.28	\$3.96	\$19.32	\$60.00	\$154.50
\$75.00	\$26.25	\$1.31	\$24.94	\$4.24	\$20.70	\$60.00	\$161.25
\$80.00	\$28.00	\$1.40	\$26.60	\$4.52	\$22.08	\$60.00	\$168.00
\$90.00	\$31.50	\$1.58	\$29.93	\$5.09	\$24.84	\$60.00	\$181.50
\$100.00	\$35.00	\$1.75	\$33.25	\$5.65	\$27.60	\$60.00	\$195.00
\$105.00	\$36.75	\$1.84	\$34.91	\$5.94	\$28.98	\$60.00	\$201.75
\$110.00	\$38.50	\$1.93	\$36.58	\$6.22	\$30.36	\$60.00	\$208.50
\$115.00	\$40.25	\$2.01	\$38.24	\$6.50	\$31.74	\$60.00	\$215.25
\$120.00	\$42.00	\$2.10	\$39.90	\$6.78	\$33.12	\$60.00	\$222.00
\$125.00	\$43.75	\$2.19	\$41.56	\$7.07	\$34.50	\$60.00	\$228.75
\$130.00	\$45.50	\$2.28	\$43.23	\$7.35	\$35.88	\$60.00	\$235.50
\$135.00	\$47.25	\$2.36	\$44.89	\$7.63	\$37.26	\$60.00	\$242.25
\$140.00	\$49.00	\$2.45	\$46.55	\$7.91	\$38.64	\$60.00	\$249.00
\$145.00	\$50.75	\$2.54	\$48.21	\$8.20	\$40.02	\$60.00	\$255.75
\$150.00	\$52.50	\$2.63	\$49.88	\$8.48	\$41.40	\$60.00	\$262.50
\$155.00	\$54.25	\$2.71	\$51.54	\$8.76	\$42.78	\$60.00	\$269.25
\$160.00	\$56.00	\$2.80	\$53.20	\$9.04	\$44.16	\$60.00	\$276.00
\$170.00	\$59.50	\$2.98	\$56.53	\$9.61	\$46.92	\$60.00	\$289.50
\$175.00	\$61.25	\$3.06	\$58.19	\$9.89	\$48.30	\$60.00	\$296.25

**Current Law — Criminal Penalty Surcharge Distribution**

<b>Current Fine</b>	<b>35.0% Criminal Penalty Surcharge</b>	<b>35.0% Surcharge Distribution</b>		<b>State Distribution</b>		<b>Court Costs</b>	<b>Total Fine</b>
		<b>5.0% to County/City</b>	<b>95.0% to State</b>	<b>17.0% to Victim Comp. Fund</b>	<b>83.0% to General Fund</b>		
\$175.00	\$61.25	\$3.06	\$58.19	\$9.89	\$48.30	\$60.00	\$296.25
\$180.00	\$63.00	\$3.15	\$59.85	\$10.17	\$49.68	\$60.00	\$303.00
\$185.00	\$64.75	\$3.24	\$61.51	\$10.46	\$51.06	\$60.00	\$309.75
\$190.00	\$66.50	\$3.33	\$63.18	\$10.74	\$52.44	\$60.00	\$316.50
\$195.00	\$68.25	\$3.41	\$64.84	\$11.02	\$53.82	\$60.00	\$323.25
\$200.00	\$70.00	\$3.50	\$66.50	\$11.31	\$55.20	\$60.00	\$330.00
\$205.00	\$71.75	\$3.59	\$68.16	\$11.59	\$56.57	\$60.00	\$336.75
\$210.00	\$73.50	\$3.68	\$69.83	\$11.87	\$57.95	\$60.00	\$343.50
\$215.00	\$75.25	\$3.76	\$71.49	\$12.15	\$59.33	\$60.00	\$350.25
\$220.00	\$77.00	\$3.85	\$73.15	\$12.44	\$60.71	\$60.00	\$357.00
\$225.00	\$78.75	\$3.94	\$74.81	\$12.72	\$62.09	\$60.00	\$363.75
\$230.00	\$80.50	\$4.03	\$76.48	\$13.00	\$63.47	\$60.00	\$370.50
\$235.00	\$82.25	\$4.11	\$78.14	\$13.28	\$64.85	\$60.00	\$377.25
\$240.00	\$84.00	\$4.20	\$79.80	\$13.57	\$66.23	\$60.00	\$384.00
\$245.00	\$85.75	\$4.29	\$81.46	\$13.85	\$67.61	\$60.00	\$390.75
\$250.00	\$87.50	\$4.38	\$83.13	\$14.13	\$68.99	\$60.00	\$397.50
\$300.00	\$105.00	\$5.25	\$99.75	\$16.96	\$82.79	\$60.00	\$465.00
\$500.00	\$175.00	\$8.75	\$166.25	\$28.26	\$137.99	\$60.00	\$735.00
\$1,000.00	\$350.00	\$17.50	\$332.50	\$56.53	\$275.98	\$60.00	\$1,410.00
\$1,500.00	\$525.00	\$26.25	\$498.75	\$84.79	\$413.96	\$60.00	\$2,085.00
\$2,000.00	\$700.00	\$35.00	\$665.00	\$113.05	\$551.95	\$60.00	\$2,760.00

**SF 457 Misdemeanors and Felonies — Proposed Crime Services Surcharge Distribution**

Penalty	Current Fine	Fine Adjustment	Proposed Fine	10.0% Crime Services Surcharge	10.0% Surcharge Distribution		State Distribution			Court Costs	Proposed Total Fine
					15% to County/City	85% to State	59.0% to Victim Comp. Fund	38.0% to Criminalistics Lab Fund	3.0% to DARE Fund		
Simple Misd.	\$65.00	\$88.79	\$90.00	\$9.00	\$1.35	\$7.65	\$4.51	\$2.91	\$0.23	\$60.00	\$159.00
	\$625.00	\$853.73	\$855.00	\$85.50	\$12.83	\$72.68	\$42.88	\$27.62	\$2.18	\$60.00	\$1,000.50
Serious Misd.	\$315.00	\$430.28	\$430.00	\$43.00	\$6.45	\$36.55	\$21.56	\$13.89	\$1.10	\$60.00	\$533.00
	\$1,875.00	\$2,561.20	\$2,560.00	\$256.00	\$38.40	\$217.60	\$128.38	\$82.69	\$6.53	\$60.00	\$2,876.00
Aggr. Misd.	\$625.00	\$853.73	\$855.00	\$85.50	\$12.83	\$72.68	\$42.88	\$27.62	\$2.18	\$60.00	\$1,000.50
	\$6,250.00	\$8,537.34	\$8,540.00	\$854.00	\$128.10	\$725.90	\$428.28	\$275.84	\$21.78	\$60.00	\$9,454.00
D Felony	\$750.00	\$1,024.48	\$1,025.00	\$102.50	\$15.38	\$87.13	\$51.40	\$33.11	\$2.61	\$60.00	\$1,187.50
	\$7,500.00	\$10,244.81	\$10,245.00	\$1,024.50	\$153.68	\$870.83	\$513.79	\$330.91	\$26.12	\$60.00	\$11,329.50
C Felony	\$1,000.00	\$1,365.98	\$1,370.00	\$137.00	\$20.55	\$116.45	\$68.71	\$44.25	\$3.49	\$60.00	\$1,567.00
	\$10,000.00	\$13,659.75	\$13,660.00	\$1,366.00	\$204.90	\$1,161.10	\$685.05	\$441.22	\$34.83	\$60.00	\$15,086.00

**Notes:**

- 1) The fine adjustment is the sum of the current fine, the General Fund portion of the Criminal Penalty Surcharge under current law, and the Law Enforcement Initiative Surcharge Adjustment.
- 2) The adjustment for the removal of the Law Enforcement Initiative Surcharge equals approximately 9.0% of the current fine.

**Current Law — Criminal Penalty Surcharge Distribution**

Penalty	Current Fine (Min. and Max.)	35.0% Criminal Penalty Surcharge	35.0% Surcharge Distribution		State Distribution		Court Costs	Total Fine
			5.0% to County/City	95.0% to State	17.0% to Victim Comp. Fund	83.0% to General Fund		
Simple Misd.	\$65.00	\$22.75	\$1.14	\$21.61	\$3.67	\$17.94	\$60.00	\$147.75
	\$625.00	\$218.75	\$10.94	\$207.81	\$35.33	\$172.48	\$60.00	\$903.75
Serious Misd.	\$315.00	\$110.25	\$5.51	\$104.74	\$17.81	\$86.93	\$60.00	\$485.25
	\$1,875.00	\$656.25	\$32.81	\$623.44	\$105.98	\$517.45	\$60.00	\$2,591.25
Aggr. Misd.	\$625.00	\$218.75	\$10.94	\$207.81	\$35.33	\$172.48	\$60.00	\$903.75
	\$6,250.00	\$2,187.50	\$109.38	\$2,078.13	\$353.28	\$1,724.84	\$60.00	\$8,497.50
Class D Felony	\$750.00	\$262.50	\$13.13	\$249.38	\$42.39	\$206.98	\$60.00	\$1,072.50
	\$7,500.00	\$2,625.00	\$131.25	\$2,493.75	\$423.94	\$2,069.81	\$60.00	\$10,185.00
Class C Felony	\$1,000.00	\$350.00	\$17.50	\$332.50	\$56.53	\$275.98	\$60.00	\$1,410.00
	\$10,000.00	\$3,500.00	\$175.00	\$3,325.00	\$565.25	\$2,759.75	\$60.00	\$13,560.00