

Fiscal Services Division Legislative Services Agency Fiscal Note

HF 123 - Crime Laboratory Surcharge (LSB 1168 HV)

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Fiscal Note Version — New

Description

House File 123 increases the criminal penalty surcharge from 30.0% to 32.0% and creates a Criminalistics Laboratory Fund for the purchase of equipment, maintenance, depreciation, and training.

Assumptions

1. In calendar year 2004, \$47.1 million in State fines and forfeited bail were imposed and \$9.0 million in county and local government fines were imposed. The total revenue for calendar year 2004 was \$56.1 million. Parking violation revenue is not included in the estimate.
2. The cumulative collection rate for scheduled traffic fines in year one is 71.5%, year two is 81.2%, and year three and ongoing years is 93.8%. The cumulative collection rate for non-scheduled traffic fines in year one is 27.3%, year two is 31.0%, and year three and ongoing years is 36.0%.
3. The law will become effective July 1, 2005. A lag effect of six months is assumed from the law's effective date. An additional lag is assumed on the first full year of collection since the surcharge is a mixture of citations, felonies, and misdemeanors. The first full year of collection does not occur until the fourth year due to the lag applied in year one, the application of a three-year collection rate, and the case processing time of non-scheduled traffic violations.
4. The one-time cost for the Judicial Branch to program a new financial code in the Iowa Court Information System is approximately \$5,000.
5. Under current law, of the revenue received from the 30.0% criminal surcharge, the State share is 95.0% and the counties/local governments receive 5.0%. Of the 95.0% State share, 18.0% is distributed to the Victim Compensation Fund and 82.0% is deposited in the General Fund.
6. Under the Bill, of the revenue received from the 32.0% criminal surcharge, the State's share is 95.0% and the counties/local governments receive 5.0%. Of the 95.0% State share, 17.0% is distributed to the Victim Compensation Fund and 83.0% is deposited in the General Fund.
7. House File 123 adds a non-reversionary Criminalistics Laboratory Fund to the language in Section 602.8108(3), Code of Iowa. Receipts in this Fund consist of General Fund appropriations and interest earned.
8. The Victim Compensation Fund would receive approximately the same amount of funding under the 32.0% surcharge at a rate of 17.0% as it currently does under the 30.0% surcharge at a rate of 18.0%. The Victim Compensation Fund currently receives approximately \$1.6 million and under the Bill, the Victim Compensation Fund is estimated to receive approximately \$1.6 million (an increased amount of \$12,000 per year overall).
9. The estimated cost for crime lab instruments is \$523,000 annually or \$2.6 million over five years. The estimated cost for repair, replacement, and updating of lab equipment is \$129,000 annually or \$645,000 over five years. The ongoing yearly cost for equipment and training is estimated to be \$220,000. The estimated cost for maintenance

agreements is \$150,000 annually. The estimate cost for instrument repair, replacement, and training is estimated to be \$871,000 annually or \$4.4 million over five years.

Fiscal Impact

House File 123 increases revenue to the General Fund, Victim Compensation Fund, and to county and local governments. The Bill also creates a new, non-reversionary fund within the Division of Criminal Investigation for the Crime Lab. The General Assembly has discretion over the amount appropriated to the Criminalistics Laboratory Fund. The chart below shows the anticipated increase in revenue from the surcharge by fiscal year:

Increased Revenue from the 32.0% Criminal Surcharge

	<u>FY 2006</u>	<u>FY 2007</u>	<u>FY 2008</u>	<u>FY 2009</u>	<u>FY 2010</u>
Total State General Fund:	\$ 342,000	\$ 485,000	\$ 531,000	\$ 577,000	\$ 577,000
Total Victim Comp Fund:	7,000	10,000	11,000	12,000	12,000
Total County/Local:	18,000	26,000	29,000	31,000	31,000
	<u>\$ 367,000</u>	<u>\$ 521,000</u>	<u>\$ 571,000</u>	<u>\$ 620,000</u>	<u>\$ 620,000</u>

Sources

Judicial Branch
Department of Public Safety
State Public Defender
Department of Human Rights, Criminal Juvenile and Justice Planning Division

/s/ Holly M. Lyons

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The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.
