

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House  
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**FISCAL IMPACT STATEMENT**

**LS 7795**  
**BILL NUMBER: HB 1910**

**DATE PREPARED: Jan 13, 2001**  
**BILL AMENDED:**

**SUBJECT:** Distribution of Court Costs.

**FISCAL ANALYST:** Mark Goodpaster  
**PHONE NUMBER:** 232-9852

**FUNDS AFFECTED:**  **GENERAL**  
**DEDICATED**  
**FEDERAL**

**IMPACT:** State & Local

STATE IMPACT	FY 2001	FY 2002	FY 2003
State Revenues		(17,474,805)	(17,474,805)
State Expenditures			
Net Increase (Decrease)		(17,474,805)	(17,474,805)

LOCAL IMPACT	CY 2001	CY 2002	CY 2003
Local Revenues	8,737,402.5	17,474,805	17,474,805
Local Expenditures			
Net Increase (Decrease)	8,737,403	17,474,805	17,474,805

**Summary of Legislation:** This bill has the following provisions:

(A) It changes the distribution percentage for court costs paid by a city or town clerk or city or town fiscal officer. It provides that the city or town clerk retains 50% for the city or town. It provides that the city or town fiscal officer distributes 25% to the county auditor, and the city or town fiscal officer distributes 25% to the Auditor of State.

(B) It changes the distribution of court costs paid by the clerk of the circuit court. It provides that the clerk distributes 5% to a city or town that maintains a law enforcement agency that prosecutes at least 50% of its ordinance violations in a circuit, superior, or county court. It provides that the circuit court clerk distributes 50% to the county auditor, and the circuit court clerk distributes 45% to the Auditor of State.

**Effective Date:** July 1, 2001.

**Explanation of State Expenditures:**

**Explanation of State Revenues:** This bill would result in a revenue loss of \$17.47 M to the State General Fund if the percentage that the State General Fund receives is reduced from the current 70% to 45% for court fees from trial courts and if the percentage is reduced from 55% to 25% for court fees collected from the city and town courts.

Trial Courts	Revenue Reported	Distribution		New Revenue	Change in Revenue
		Current	Proposed		
State General Fund	\$38,791,615	70%	45%	\$25,147,553	(\$13,644,063)
County General Fund	\$15,383,646	27%	50%	\$27,941,725	\$12,558,079
City or Town General Fund	\$1,708,189	3%	5%	\$2,794,173	\$1,085,984
Total	\$55,883,450	100%	100%	\$55,883,450	\$0
<b>City and Town Courts:</b>					
State General Fund	\$7,080,563	55%	25%	\$3,249,821	(\$3,830,743)
County General Fund	\$2,647,472	20%	25%	\$3,249,821	\$602,349
City or Town General Fund	\$3,271,247	25%	50%	\$6,499,641	\$3,228,394
Total	\$12,999,282	100%	100%	\$12,999,282	\$0

**Summary of Changes in Revenue:**

State General Fund	\$45,872,178
County General Fund	\$18,031,118
City or Town General Fund	\$4,979,436

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:** Counties, cities, and towns will realize a total increase in general fund revenue of \$17.47 M with the changes made in the court fee distribution formula.

**State Agencies Affected:**

**Local Agencies Affected:** All Counties with trial courts; Counties, municipalities and city and town courts in the following counties: Allen, Blackford, Boone, Carroll, Clark, Clinton, Dearborn, DeKalb, Delaware, Elkhart, Fountain, Grant, Hamilton, Hendricks, Henry, Huntington, Jasper, Jay, Johnson, Knox, Lake, Madison, Miami, Morgan, Randolph, Ripley, Saint Joseph, Spencer, Starke, Steuben, Tippecanoe, Tipton, Vermillion, Vigo, Wabash, Wayne, Wells, and White.

**Information Sources:** 1999 Judicial Report.