

Department of Fiscal Services
 Maryland General Assembly

FISCAL NOTE
Revised

House Bill 898 (Delegate Hubbard, et al.)

Judiciary Referred to Budget and Taxation and Judicial Proceedings

Court Costs - State Aid for Police Protection, Criminal Injuries Compensation, and Victim and Witness Protection and Relocation

This amended bill increases the State Aid for Police Protection supplemental grant from \$2 to \$2.50 per capita, includes Baltimore City at the rate of \$.50 per capita, directs that proportional amounts be paid directly to qualifying municipalities, and increases the municipal sworn officer allocation from \$900 to \$1,200 per officer. The bill increases the court costs imposed by the District Court in traffic and criminal cases from \$15 to \$20. From this increase, \$500,000 is directed to the Criminal Injuries Compensation Fund and \$125,000 to a new Victim and Witness Protection and Relocation Fund.

The bill is effective July 1, 1996.

Fiscal Summary

State Effect: General fund revenues could increase by \$3.1 million annually. Law Enforcement and Correctional Training Fund revenues could decline by \$280,000 annually. Criminal Injuries Compensation Fund revenues would increase by \$500,000 annually and Victim and Witness Protection and Relocation Fund revenues would increase by \$125,000 annually. General fund expenditures would increase by \$2.9 million in FY 1997, increasing with population and the number of sworn municipal police officers.

| (\$ in millions) | FY 1997 | FY 1998 | FY 1999 | FY 2000 | FY 2001 |
|------------------|---------|---------|---------|---------|---------|
| GF Revenues | \$3.095 | \$3.095 | \$3.095 | \$3.095 | \$3.095 |
| CICF Revenues | 0.500 | 0.500 | 0.500 | 0.500 | 0.500 |
| FF Revenues | .000 | .000 | 0.020 | 0.020 | 0.020 |
| LECTF Revenues | (0.280) | (0.280) | (0.280) | (0.280) | (0.280) |
| VCF Revenues | 0.125 | 0.125 | 0.125 | 0.125 | 0.125 |
| GF Expenditures | 2.925 | 2.967 | 3.010 | 3.054 | 3.098 |
| Net Effect | \$0.515 | \$0.473 | \$0.450 | \$0.406 | \$0.362 |

Note: () - decrease; GF - general funds; FF - federal funds; SF - special funds

Local Effect: Local revenues under the State Aid for Police Protection program would increase by \$3.0 million annually, increasing with population and the number of sworn municipal police officers.

Fiscal Analysis

State Revenues: This bill increases court costs assessed by the District Court in traffic and criminal cases by \$5. The bulk of the cases that would be affected by this bill are traffic cases, which are sensitive to court fees. As court fees rise, the number of people who contest traffic tickets increases. A \$5 increase in court costs could increase the number of contested tickets by 7%.

Based on fiscal 1995 court cost collections, and assuming that costs are not collected on an additional 7% of the cases due to acquittals, uncollectible assessments, and fee waivers, revenues could increase by \$3.7 million annually. As case loads for these types of cases have been fairly constant, no increase is projected in future years. Of that amount, \$500,000 is directed to the Criminal Injuries Compensation Fund (CICF) and \$125,000 to a new special fund called the Victim and Witness Protection and Relocation Fund. The CICF receives a 40% federal match with a two-year delay.

The Law Enforcement and Correctional Training Fund collects \$5 for each traffic and criminal case in which costs are assessed, which amounts to approximately \$4.0 million annually. Assuming a 7% loss of revenue due to an increase in the number of acquittals, waivers, and uncollectible assessments, the fund could lose \$280,000 annually.

State Expenditures: State aid payments to local governments would increase by \$2.9 million in fiscal 1997, as shown in **Exhibit 1**. Future year expenditures are based on full-year funding and a State population increase of 1.45% annually.

Local Revenues: The increase in State Aid for Police Protection is shown in **Exhibit 1**. These figures include amounts for qualifying municipalities within each county. Qualifying municipalities must have at least one full-time police officer and annual police expenditures of at least \$50,000. Under current law the supplemental grant is distributed to the counties which in turn distribute funds to municipalities based on a formula negotiated between the county and municipality. Changing the municipal allocations to a per capita basis will increase the overall municipal share of the grants, but the effect on any particular municipality would depend on the current agreement with the county. The municipal sworn officer allocation is currently paid directly to municipalities.

Exhibit 1

| Jurisdiction | Aid Increase |
|---------------------|---------------------|
| Allegany | 60,150 |
| Anne Arundel | 264,700 |
| Baltimore City | 348,450 |
| Baltimore | 357,500 |
| Calvert | 34,450 |
| Caroline | 22,350 |
| Carroll | 85,800 |
| Cecil | 50,300 |
| Charles | 58,200 |
| Dorchester | 24,450 |
| Frederick | 122,450 |
| Garrett | 16,350 |
| Harford | 131,050 |
| Howard | 110,100 |
| Kent | 13,050 |
| Montgomery | 435,650 |
| Prince George's | 464,150 |
| Queen Anne's | 20,450 |
| St. Mary's | 41,100 |
| Somerset | 16,200 |
| Talbot | 29,700 |
| Washington | 92,150 |
| Wicomico | 70,100 |
| Worcester | 56,200 |
| TOTAL | \$2,925,049 |

Local Expenditures: Local expenditures for public safety will increase to the extent that local governments do not use new State funds to supplant local funds.

Information Source(s): Judiciary (District Court of Maryland), Department of Fiscal Services, Department of State Police

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