

**NORTH CAROLINA GENERAL ASSEMBLY
LEGISLATIVE FISCAL NOTE**

BILL NUMBER: Senate Bill 1234

SHORT TITLE: Raise Criminal Court Fees

SPONSOR(S): Senator Phillips

FISCAL IMPACT					
	Yes (X)	No ()	No Estimate Available ()		
	<u>FY 1998-99</u>	<u>FY 1999-00</u>	<u>FY 2000-01</u>	<u>FY 2001-02</u>	<u>FY 2002-03</u>
Revenues from fee increase distributed to counties and municipalities:					
Service Fee	\$5,829,183	\$5,945,769	\$6,064,680	\$6,185,974	\$6,309,695
Facilities Fee	<u>\$6,345,663</u>	<u>\$6,472,579</u>	<u>\$6,602,029</u>	<u>\$6,734,074</u>	<u>\$6,868,751</u>
Total	\$12,174,846	\$12,418,348	\$12,666,709	\$12,920,048	\$13,178,446
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: Judicial Department; County and Municipal Finance Offices					
EFFECTIVE DATE: July 1, 1998					

BILL SUMMARY: *TO INCREASE THE PROCESS AND FACILITIES FEES IN CRIMINAL CASES IN THE GENERAL COURT OF JUSTICE.* Amends G.S. 7A-304(a) to increase the following fees in criminal cases: 1) arrest and process service fee from \$5 to \$10; 2) district court facilities fee from \$6 to \$12; and 3) superior court facilities fee from \$24 to \$30. Applies to fees assessed or paid on after the effective date.

ASSUMPTIONS AND METHODOLOGY: Judicial Department
 This legislation increases service and facilities fees associated with criminal court fees. These fees are collected by Clerks' Offices and are transferred directly to counties and municipalities for court related expenses. For the service fee, Judicial Department data for FY 1996-97 indicates that there were 1,600,808 total cases involving arrest and processing. Of these 1,600,808 cases, an estimated 1,120,566, or 70%, were criminal cases subject to this bill. Raising this service fee from \$5 to \$10 would have increased revenues by \$5,602,830 in FY 1996-97. Extrapolating this revenue increase to future years using a conservative estimate of 2% growth in new criminal cases per year, we project the following revenue increases:

FY 1997-98	1,142,977 cases	\$5,714,887
FY 1998-99	1,165,837 cases	\$5,829,183
FY 1999-00	1,189,153 cases	\$5,945,769
FY 2000-01	1,212,936 cases	\$6,064,680
FY 2001-02	1,237,195 cases	\$6,185,974
FY 2002-03	1,261,939 cases	\$6,309,695

For the facilities fee, Judicial Department data for FY 1996-97 indicated that there were 998,017 criminal cases in district courts and 18,526 criminal cases in superior courts. Raising the district court facilities fee from \$6 to \$12 would have increased revenues by \$5,982,102, while raising the superior court facilities fee from \$24 to \$30 would have increased revenues by \$111,156. The total revenues gained by increasing the facilities fees would have been \$6,093,258. Extrapolating this revenue increase to future years using a conservative estimate of 2% growth in new criminal cases per year, we project the following revenue increases:

FY 1997-98	1,036,873 cases	\$6,221,238
District Court	1,017,977 cases	\$6,107,862
Superior Court	18,896 cases	\$113,376
FY 1998-99	1,057,611 cases	\$6,345,663
District Court	1,038,337 cases	\$6,230,019
Superior Court	19,274 cases	\$115,644
FY 1999-00	1,078,763 cases	\$6,472,579
District Court	1,059,104 cases	\$6,354,622
Superior Court	19,659 cases	\$117,957
FY 2000-01	1,100,339 cases	\$6,602,029
District Court	1,080,287 cases	\$6,481,716
Superior Court	20,052 cases	\$120,313
FY 2001-02	1,122,345 cases	\$6,734,074
District Court	1,101,892 cases	\$6,611,356
Superior Court	20,453 cases	\$122,718
FY 2002-03	1,144,792 cases	\$6,868,751
District Court	1,123,930 cases	\$6,743,579
Superior Court	20,862 cases	\$125,172

TECHNICAL CONSIDERATIONS: None

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