

## Department of Planning and Budget 2004 Fiscal Impact Statement

**1. Bill Number** SB241

<b>House of Origin</b>	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron** Norment

**3. Committee** Courts of Justice

**4. Title** Technology Trust Fund Fee; increased, allocation

**5. Summary/Purpose:** Increases the fee from \$3 to \$5 and allows the use of the Trust Fund for developing and updating land records automation plans for individual clerks' offices; modernizing land records in individual clerks' offices and providing remote access to land records statewide; obtaining and updating office automation and information technology equipment; preserving, maintaining and enhancing court records, including, but not limited to, the costs of repairs, maintenance, service contracts and system upgrades; and improving public access to court records. The bill allows the clerk to use the Trust Fund for technology improvements in the law and chancery and criminal divisions after implementation of automation of land records with statewide remote access.

**6. Fiscal Impact Estimates are:** PRELIMINARY; See Item 8 below.

**7. Budget amendment necessary:** Yes; Items 63 and 66, Section 3-1.01

**8. Fiscal implications:** The general fund impact due to this proposal is estimated at \$3,475,515 to \$5,128,426 across the biennium. This impact is due to language that restricts how the revenue in the Technology Trust Fund (TTF) may be used. For instance, the transfer of \$1,489,213 each year from the TTF to support the clerks' operating costs provided in the proposed FY04-06 budget will not be permitted. This will reduce the clerks' offices operating funding unless additional general fund support is provided. Also, the proposal specifically prohibits transferring any amount of the TTF to the general fund. Currently, the Governor's proposed budget relies upon the transfer from the TTF to the general fund of \$347,089 over the biennium if his tax reform package passes and \$2,000,000 over the biennium if it does not pass. Finally, about \$75,000 of the TTF revenue is used by the Compensation Board for a position responsible for supporting clerks with this automation of land records effort.

**9. Specific agency or political subdivisions affected:** Compensation Board, circuit court clerks statewide.

**10. Technical amendment necessary:** No.

**11. Other comments:** The Compensation Board estimates that the circuit court clerks will receive about \$4,300,000 each year due to the \$2 fee increase.

**Date:** 02/10/04 / jgc

**Document:** G:\2004 session\EFIS -- Bill Impact Statements\Posted\SB241.DOC

cc: Secretary of Administration