

## Department of Planning and Budget 2004 Fiscal Impact Statement

**1. Bill Number** SB241

<b>House of Origin</b>	<input 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 checked="" type="checkbox"/> Enrolled

**2. Patron** Norment

**3. Committee** Passed Both Houses

**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. The bill does not allow the use of this fund to support personnel costs in the clerks' offices. Finally, the bill repeals the sunset provision of July 1, 2008, and declares that the intent of the General Assembly is that secure remote access be provided by all clerks by July 1, 2006.

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

**7. Budget amendment necessary:** Yes; Item 66

**8. Fiscal implications:** The proposal contradicts language in the Governor's proposed budget bill, and the House and Senate proposed budgets. In Item 66, paragraph G., the language provides authority to the Compensation Board to use \$1,489,213 of the Technology Trust Fund moneys in each year to fund operating expenses in Clerks' offices (i.e., personnel costs). However, since language in the Appropriations Act supersedes the Code of Virginia, the proposal will not have a fiscal impact unless the language in the budget bill is deleted.

If conformity is desired between the Appropriations Act and the Code of Virginia, then an amendment will be necessary to delete this authorizing paragraph. With the language deleted, the clerks operating funding will face a \$1.5 million reduction if additional general fund appropriation is not provided.

In order to use dollars collected from the \$2 fee increase, an increase in non-general fund appropriation is necessary. The Compensation Board estimates that the circuit court clerks will receive about \$4,300,000 each year due to the \$2 fee increase.

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

**10. Technical amendment necessary:** See Item 8 above.

**11. Other comments:** None.

**Date:** 03/24/04 / jgc

**Document:** G:\2004 session\EFIS -- Bill Impact Statements\Posted\SB241ER.DOC

cc: Secretary of Administration