

Department of Planning and Budget 2009 Fiscal Impact Statement

1. Bill Number: SB942

House of Origin X Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Watkins

3. Committee: Local Government

4. Title: **Charter; County of Chesterfield.**

5. Summary: Adds provisions to the charter of Chesterfield County requiring the salary of the clerk of the circuit court to be paid out of the general fund of the county. Likewise, the expenses of the office of the clerk of the circuit court, including the compensation of the deputies and employees of the office, shall be paid out of the general fund of the county. All clerk's fees and commissions received by the clerk of the circuit court for the performance of the clerk's official duties pursuant to statute and local ordinance shall be paid into the general fund of Chesterfield County.

6. Fiscal Impact Estimates are Preliminary: See item 8 below.

7. Budget Amendment Necessary: Yes; Item 74 and front page (revenue)

8. Fiscal Implications: The proposed legislation authorizes Chesterfield County's circuit court clerk's office to deposit all revenue collected to the county's general fund. The county's general fund would be used to fully support the Chesterfield County clerk's office. Although this legislation would reduce the state funding required to support circuit court clerks, there would be a reduction in the general fund revenue since the Commonwealth would no longer be able to retain the excess revenue collected by the Chesterfield County clerk.

The introduced budget bill proposes a change in the disbursement of excess fees collected by the circuit court clerks. Instead of two-thirds of the excess fees (after reimbursing clerks for expenses) being returned to the clerks and one-third being retained by the Commonwealth, the introduced budget bill requires two-thirds of the excess revenue be retained by the Commonwealth. Based on the introduced budget bill, the proposed legislation will decrease the general fund revenue by approximately \$995,938 annually because it would allow Chesterfield to retain all of the excess revenue. If the proposed change in the introduced budget is not implemented, the reduction to the general fund is estimated at \$497,969 annually as the state would lose its annual one-third share of excess fees.

9. Specific Agency or Political Subdivisions Affected: Compensation Board, Chesterfield County

10. Technical Amendment Necessary: No.

11. Other Comments: Additional localities that collect excess fees may consider taking a similar action, thereby further reducing general fund revenues. Identical to HB 1733.

Date: 1/20/2009 dpb/jgc

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