

Department of Planning and Budget 2015 Fiscal Impact Statement

1. Bill Number: SB1344

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Stuart

3. Committee: Senate Committee for Courts of Justice

4. Title: Interpreter appointed for non-English-speaking defendant

5. Summary: Provides that the cost for an interpreter for a non-English-speaking defendant shall be borne by the defendant if he is convicted of the criminal offense.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Preliminary (see Item #8)

8. Fiscal Implications: According to the Office of the Executive Secretary of the Supreme Court (OES), this bill is expected to have a significant fiscal impact on the operations of the court system, specifically the Criminal Fund.

Currently, OES receives \$4 million in federal grants for various court improvements and initiatives. Court officials have determined that continuing receipt of those funds would likely be precluded by the passage of this bill because the United States Department of Justice (USDOJ) has interpreted Title VI of the Civil Rights Act of 1964 to conclude that the assessing the cost of these interpreters for non-English defendants implicates concerns about discrimination on the basis of national origin. (Department of Justice Final Guidance Document, Federal Register June 18, 2002, p. 41472.)

In FY2014, the Criminal Fund paid \$2,440,000 for foreign language interpreters in criminal cases. If the collection rate for the amounts assessed against convicted defendants for those interpreters is comparable to the collection rate for the amounts assessed against defendants for court-appointed attorneys (approximately 27 percent), then the state could expect to recoup \$659,000.

9. Specific Agency or Political Subdivisions Affected: Courts

10. Technical Amendment Necessary:

11. Other Comments: None