

Department of Planning and Budget 2018 Fiscal Impact Statement

1. Bill Number: SB564ES1

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

2. Patron: Obenshain

3. Committee: Senate Finance

4. Title: Public access to non-confidential court records

5. Summary: Provides that a clerk of court shall make non-confidential court records available to the public upon request. The bill specifies that such records shall be provided no later than 30 days after the request. The bill further provides that the clerk may charge a fee for responding to such request that shall not exceed the actual cost incurred in accessing, duplicating, reviewing, supplying, or searching for the requested records. Finally, the bill requires the Executive Secretary of the Supreme Court to make available to the public an online case information system of non-confidential information for criminal cases by July 1, 2019.

6. Budget Amendment Necessary: Yes, Item 38

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

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2019	\$192,000	General Fund

8. Fiscal Implications: The proposed bill would require the Office of the Executive Secretary of the Supreme Court (OES) to make available a publicly viewable online case information system of certain non-confidential information entered into the case management system for (i) criminal cases in the circuit courts participating in the Executive Secretary's case management system and in the general district courts and (ii) adult criminal cases in the juvenile and domestic relations district courts.

The current case management system for the circuit and general district courts can accommodate the requirements of this legislation without a significant fiscal impact; however, the case management system for juvenile and domestic relations district courts would require system modifications that carry an estimated cost of \$192,000.

According to the Compensation Board, the proposed legislation is not expected to have a material fiscal impact on circuit court clerk offices.

9. Specific Agency or Political Subdivisions Affected: Courts,

10. Technical Amendment Necessary: No

11. Other Comments: The bill contains a clause that the provisions of the bill do not become effective unless an appropriation is included in the general appropriation act passed in 2018 by the General Assembly becomes law.