

Department of Planning and Budget 2018 Fiscal Impact Statement

1. **Bill Number:** SB495

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

2. **Patron:** Carrico

3. **Committee:** Senate Finance

4. **Title:** Creation of Deputy Sheriff Supplemental Salary Fund

5. **Summary:** The proposed legislation establishes the Deputy Sheriff Supplemental Salary Fund (Fund) to supplement the salaries of deputy sheriffs in qualified localities. Twenty percent of local fines generated by a local sheriff's office would be transferred by the circuit court clerk to the Fund to pay for such supplements.

6. **Budget Amendment Necessary:** Yes, Item 66

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

8. **Fiscal Implications:** The proposed legislation creates in the state treasury the Deputy Sheriff Supplemental Salary Fund ("Fund") to provide funding to supplement the salaries of deputy sheriffs in qualified localities. Funding for the fund would come from 20 percent of the local fines generated by local sheriff's office. The legislation directs the circuit court clerk to deposit applicable fines into the state treasury and credit the amounts to the Fund. Expenditures and disbursements from the Fund would be made by the State Treasurer upon written request signed by the chairman of the Compensation Board.

According to the Office of the Executive Secretary of the Supreme Court (OES), general district courts collected \$16.6 million in fines for sheriff-generated charges in calendar year 2017. However, the \$16.6 million represents only collection of fines that were fully paid. The OES is unable to track to track partial payments of fines. Therefore, it assumed that the total local fines collected in calendar year 2017 was higher than \$16.6 million. If collections remain constant going forward, the provisions of the proposed legislation would result in approximately \$3.3 million (20 percent of \$16.6 million) that would be deposited into the Fund.

The proposed legislation also provides that a locality that (i) is not, as of January 1, 2018, supplementing the salaries of deputy sheriffs by more than 20 percent of the base deputy salary set forth in a general appropriation act and (ii) employs deputies other than correctional deputies is eligible to apply to the Compensation Board for awards from the Fund. According to the Compensation Board, there are currently 1,265 court services and law

enforcement deputy positions that receive local salary supplements less than 20 percent above the Compensation Board's established base deputy salary as prescribed by law. The estimated cost to raise the local salary supplements for the identified 1,265 court services and law enforcement deputy positions up to 20 percent above the Compensation Board established base deputy salary is \$5,646,280.

If the proposed legislation is enacted, localities will be impacted as revenues currently used for other local purposes will be redirected to the Fund.

9. Specific Agency or Political Subdivisions Affected: Compensation Board, Circuit court clerks, local governments and local law enforcement

10. Technical Amendment Necessary: No

11. Other Comments: None