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BILL ANALYSIS



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Senate Bill 281 (S-1 as reported)

Committee: Appropriations

FY 2002-03 Year-to-Date Gross Appropriation	\$242,717,500
Changes from FY 2002-03 Year-to-Date:	
1. Negative Supplemental. The Governor and the Senate include a reduction which was proposed as a negative supplemental along with Executive order 2003-3.	(\$1,103,700)
2. Early Retirement Adjustments. The budget recognizes the end of annual leave pay-outs associated with the 2002 early retirement program.	(\$566,000)
3. Additional Judgeships. The Governor and Senate propose an increase in Justices' and Judges' Compensation for the full-year costs of six additional Circuit Court Judgeships and the conversion of one part-time Probate Judge to full-time, both of which occurred in FY 2002-03. It also recognizes the conversion of a Municipal Court Judge to a District Court Judge, which will take place in FY 2003-04. The adjustment covers salaries, FICA, and retirement.	\$631,600
4. Assessment and Fee Increases. The Executive and Senate include a Judiciary proposal both to increase State restricted revenue and to offset GF/GP funding by restructuring and increasing assessments and court costs on civil infractions and criminal convictions as well as increasing court filing fees. The increases include an additional \$1,267,000 for drug courts and an additional \$2,562,100 for the Judicial Technology Improvement Fund (JTIF). The balance offsets \$11,088,000 in GF/GP in the Community Dispute Resolution Program, the JTIF, and the Court Equity Fund. The Senate increases the Court of Appeals operations line item \$87,500 to accurately adjust for additional revenue anticipated from increased filing fees.	\$3,917,100
5. Juror Compensation. The budget recognizes \$6.6 million in State restricted funding available from jury demand and driver license clearance fees increased in 2002, which will be used to reimburse counties for increased juror compensation.	\$6,600,000
6. Drug Court Program. In addition to the increases in State restricted funding mentioned above, the Governor and Senate increase funding for drug courts from additional Federal Byrne Grant funding through an interdepartmental grant from the Department of Community Health.	\$1,800,000
7. Transcript Fees. The Senate adds a placeholder and a state restricted fund source if revenue becomes available with which to reimburse counties for potential increases in transcript fees.	\$100
8. Economic Adjustments. The budget includes adjustments for building occupancy charges.	(\$772,900)
9. Other Changes. The budget decreases local user fees by \$41,300 and Federal funding for the Judicial Institute by \$94,500. It also includes GF/GP reductions of \$295,100 for rent adjustments, \$150,000 in one-time court boundary realignment costs, and another \$62,300 from multiple line items.	(\$643,200)
10. Comparison to Governor's Recommendation. The Senate recommendation is \$87,600 Gross and \$0 GF/GP over the Governor's.	
Total Changes	\$9,863,000
FY 2003-04 Senate Appropriations Committee Gross Appropriation	\$252,580,500

Changes from FY 2002-03 Year to Date:

1. **Deletions.** The Governor and Senate eliminate the following sections:
 - Contracts with businesses from Deprived and Depresses Communities (Section 210).
 - Retention of Reports (Section 212).
 - Early Retirement and Budgetary Savings (Section 213).
 - Community Dispute Resolution Centers funding criteria (Section 310).
 - Mental Health courts (Section 317).
 - Court-provided Child Care (Section 318).
 - Treatment Services for individuals leaving the Juvenile Justice system (Section 320).
 - Court Boundary Realignment Costs (Sec 322).
2. **Retained.** The Senate restores the following sections which were eliminated by the Governor:
 - Privatization (Section 207).
 - Buy American Language (Section 209).
 - Reporting requirements on personal services contracts over \$100,000 (Section 211).
 - Cooperation with the Auditor General (Section 304).
 - Reporting requirements of over-expenditures (Section 305).
 - Reporting requirement on Parental Rights Restoration Act (Section 312).
 - Child Support Enforcement \$6,000,000 Penalty Reimbursement - (Section 313(3))
 - Mental Health courts (Section 314).
 - Communication with the Department of Information Technology Section (315).
3. **Contingency Funds.** The Executive recommendation amends Section 206 by adding language that the contingency funds are not available for expenditure until they have been transferred to another line item according to the DMB Act. The Senate recommendation deletes the entire section.
4. **Internet Reports.** The Executive recommends eliminating quarterly reports of recent reports made available either electronically or on the internet. The Senate retains the quarterly reports but eliminates paper copies. (Section 208)
5. **Court of Appeals Backlog Reduction.** The Senate includes language which would earmark \$225,000 of added court filing fee revenue for the purpose of delay reduction. It also requires that any additional revenue raised from the increase of any other Court of Appeals fees also be used for delay reduction. (Section 307)
6. **Drug Court Evaluation.** The Senate adds new language which would require the Judiciary to contract an independent third party to evaluate and monitor the drug court program to determine their impact on recidivism, substance abuse, and prison admissions. (Section 310)
7. **Byrne Grant Funding.** The Executive and Senate include language directing that \$1.8 million in Byrne Grant funding be used for drug courts to assist in avoiding prison bed space growth for nonviolent offenders in collaboration with the Department of Corrections.

Date Completed: May 1, 2003

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