

# FISCAL NOTE

Requested by Legislative Council  
02/05/2001

**REVISION**

Bill/Resolution No.: SB 2339

Amendment to:

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$120,479	\$0	\$120,479	\$0
<b>Appropriations</b>	\$0	\$0	\$0	\$0	\$0	\$0

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2. **Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

When a case is remanded back to Municipal Court for sentencing, a transcript would have to be prepared. The cost of preparing a transcript averages \$247.90. If one-half of the cases are transferred back to the Municipal Court for sentencing, the cost of preparing transcripts is \$120,479.40. If 80% of the cases are remanded, the transcript cost would be \$192,767.04.

The more difficult question is what impact this bill might have on jury trials. Each jury trial costs an average of \$850 in juror expenses. If 50% of the individuals take a jury trial rather than have their case returned to Municipal Court, the cost to the state would be \$824,500 per biennium. If just 20% elect to take a jury trial rather than have their case returned to Municipal Court, the cost to the state would be \$368,900. I have not included the possible increase in jury costs as an added expense because the possible increase in the number of jury trials is speculative. While it is speculative that this bill will increase jury costs, the possibility is real.

In the cities of Bismarck, Minot, Grand Forks, Fargo and West Fargo there were a total of 972 cases transferred from Municipal Court to District Court in 2000.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

N/A

**B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

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**Agency:** Supreme Court  
**Date** 02/12/2001  
**Prepared:**