

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4068-01
Bill No.: SB 1105
Subject: Property - Real and Personal; Civil Procedure; Courts; Credit and Bankruptcy
Type: Original
Date: February 20, 2004

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator** stated this proposal would have no fiscal impact on the Courts.

Officials from the **Department of Economic Development - Division of Finance** and **Division of Credit Unions** and the **Department of Revenue** stated this proposal would have no fiscal impact on their agencies.

<u>FISCAL IMPACT - State Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

There is potential fiscal impact on businesses trying to collect on someone who has filed bankruptcy.

DESCRIPTION

This proposal modifies the dollar amount of certain properties that can be exempted from attachment in bankruptcy proceedings.

The proposal increases the exemption for certain household goods from \$1,000 to \$3,000. Wedding rings of up to \$1,500 are exempt. The act further increases the value of "any other property of any kind" from \$400 to \$600. Implements of a trade are increased from \$2,000 to \$3,000. Motor vehicles in the aggregate are increased from \$1,000 to \$3,000. Mobile homes, when used as a principal residence, are increased from \$1,000 to \$5,000. A person's right to increase alimony is increased from \$500 to \$750 a month. The amount that a head of household may exempt from execution is increased from \$850 plus \$250 for each dependent to \$1250 plus \$350 for each dependent, including dependents who are determined to be disabled.

Beginning on April 1, 2006, and every three years thereafter, the dollar amount for exempt properties shall be adjusted based on the Consumer Price Index. The Director of Revenue shall publish the dollar amounts that will become effective on such April 1st no later than the previous March 1st.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Economic Development
Division of Finance
Division of Credit Unions
Office of State Courts Administrator
Department of Revenue



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