

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2071-01
Bill No.: HB 895
Subject: Courts; Crimes and Punishment; Employees - Employers
Type: Original
Date: March 16, 2001

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
General Revenue *	(Unknown)	(Unknown)	(Unknown)
Total Estimated Net Effect on <u>All</u> State Funds *	(Unknown)	(Unknown)	(Unknown)

* could exceed \$100,000

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator** (OSCA) assume the proposed legislation would require the court to obtain and keep a defendant's address and employment information until the judgment is satisfied. There are conflicting possibilities about the impact on the courts. OSCA has no data on the number of unsatisfied judgments in small claims courts, but if the number is significant or there are a considerable number of cases that go on for a long time, the impact could be significant. In addition, there may be some problem with maintaining the information for a long time because, for some defendants, the stability of employment and address information may be in doubt. Because of these questions, we cannot provide a definite impact estimate at this time. **Oversight** assumes the impact of this proposal is unknown but possibly significant.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
GENERAL REVENUE			
<u>Cost - courts *</u>	(Unknown)	(Unknown)	(Unknown)
ESTIMATED NET EFFECT ON GENERAL REVENUE *	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>

*could exceed \$100,000

<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal would revise small claims court procedure. If a judgment is assessed against a defendant, the defendant would be required to provide the court with the defendant's current address and place of employment and notify the court within ten days of any change in address or employment until the judgment is satisfied. The court shall, upon request, provide the plaintiff with the defendant's address and place of employment until the judgment is satisfied.

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

Office of State Courts Administrator

NOT RESPONDING

Office of the Attorney General



Jeanne Jarrett, CPA
Director
March 16, 2001