

1 *Senate* BILL NO. *142*
 2 INTRODUCED BY *Abner K. Klotz E. Smith Leonard*
 3 *Therese Manning Nelson Alan J. Jove*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REMIT ONE-FIFTH OF *Himal*
 5 FINES COLLECTED IN JUSTICE COURT FOR TRAFFIC OFFENSES CITED *McCook*
 6 BY THE HIGHWAY PATROL TO LOCAL GOVERNMENT FOR LAW
 7 ENFORCEMENT COMMUNICATIONS PURPOSES; CORRECTING AN INTERNAL
 8 REFERENCE; AMENDING SECTION 31-114, R.C.M. 1947."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 31-114, R.C.M. 1947, is amended to
12 read as follows:

13 "31-114. Highway patrol — fees — fines and
 14 forfeitures. All fees, fines, and forfeitures collected in
 15 any court from persons apprehended or arrested by patrolmen
 16 for violation of this act and the laws and regulations
 17 relating to the use of state highways and the operation of
 18 vehicles thereon must be paid to the state treasurer of
 19 Montana and by him credited to the general fund of the
 20 state, except for that portion of the fines, as provided in
 21 ~~section 4 [75-5304] of this act 75-7902~~, which shall be paid
 22 into the automobile driver education account in the
 23 earmarked revenue fund and that portion remitted to the
 24 local governing body for law enforcement communications; and
 25 at the time of payment of any such fee, fine, or forfeiture,

1 there shall be filed with the state treasurer a complete
 2 statement showing the total of the fees, fines, or
 3 forfeitures received or incurred, which statement shall give
 4 the title of the court and cause and be subscribed to by the
 5 person or officer making such payments."

6 Section 2. There is a new R.C.M. section that reads as
7 follows:

8 Portion of fine for law enforcement communications. A
 9 justice court shall remit 20% of all fines and forfeitures
 10 collected from persons apprehended by a highway patrolman
 11 for violation of any law (other than 32-2144.1, relating to
 12 the 55-miles-per-hour daytime speed limit) or rule relating
 13 to the use of state highways and operation of vehicles
 14 thereon, to the treasurer of the county in which the court
 15 is situated. The county treasurer shall deposit these moneys
 16 to be appropriated by the governing body of the county for
 17 law enforcement communications purposes. If primary
 18 responsibility for law enforcement communications,
 19 particularly the dispatching of highway patrolmen, is
 20 exercised by a metropolitan police department in a county,
 21 the county treasurer shall pay these moneys to that city or
 22 town governing body, which may utilize them for law
 23 enforcement communications purposes.

-End-

SB 142

STATE OF MONTANA

REQUEST NO. 108-77

FISCAL NOTE

Form BD-15

In compliance with a written request received January 19, 19 77, there is hereby submitted a Fiscal Note for Senate Bill 142 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

Senate Bill 142 proposes to remit 20 percent of fines collected in Justice Court for traffic offenses cited by the highway patrol to local government for law enforcement communications purposes.

ASSUMPTION:

Since the 20 percent will be withheld by the Justice court before any money is sent into the State Treasurer, there will be no increase in costs to the state to implement this law.

FISCAL IMPACT:

	<u>FY 78</u>	<u>FY 79</u>
Total collections from fines under current law	\$550,034	\$585,800
Total collections from fines under proposed law	<u>440,028</u>	<u>468,640</u>
Decrease in collections under proposed law*	<u>\$110,006</u>	<u>\$117,160</u>

*The decrease is in General Fund collections.

LOCAL EFFECT:

Local government will receive approximately \$115,000 per year for law enforcement communications purposes.

Richard L. Dwyer
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-24-77

Approved by Committee
on Highways & Transportation

SENATE BILL NO. 142

INTRODUCED BY ABER, KOLSTAD, E. SMITH, LENSINK, LOWE,
TURNAGE, THIESSEN, MANNING, NELSON, OLSON, HIMSL, McEMBER

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section 4 ~~[75-5304]~~ of this act 75-7902, which shall be paid
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earmarked revenue fund and that portion remitted to the
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statement showing the total of the fees, fines, or
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person or officer making such payments."

Section 2. There is a new R.C.M. section that reads as
follows:

Portion of fine for law enforcement communications. A
justice court shall remit 20% of all fines and forfeitures
collected from persons apprehended by a highway patrolman
for violation of any law (other than 32-2144.1, relating to
the 55-miles-per-hour daytime speed limit) or rule relating
to the use of state highways and operation of vehicles
thereon, to the treasurer of the county in which the court
is situated. SUCH REMITTANCES MAY NOT EXCEED \$25,000 PER
YEAR IN A COUNTY. The county treasurer shall deposit these
moneys to be appropriated by the governing body of the
county for law enforcement communications purposes. If
primary responsibility for law enforcement communications,
particularly the dispatching of highway patrolmen, is
exercised by a metropolitan police department in a county,
the county treasurer shall pay these moneys to that city or
town governing body, which may utilize them for law
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SECOND READING

SB 0142/02

- 1 APPLY IN THE EVENT A LOCAL GOVERNMENT DOES NOT PROVIDE
- 2 COMMUNICATIONS SUPPORT SERVICES FOR THE HIGHWAY PATROL.

-End-

Highways & Transportation

Without recommendation

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