

HOUSE BILL NO. 103

INTRODUCED BY

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT FINES IMPOSED AND COSTS ASSESSED BY A DISTRICT COURT IN CRIMINAL CASES AND PAID INTO THE COUNTY GENERAL FUND MUST BE USED TO FUND THE OPERATIONS OF THE DISTRICT COURT; AND AMENDING SECTION 46-18-235, MCA."

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

Section 1. Section 46-18-235, MCA, is amended to read:

"46-18-235. Disposition of money collected as fines and costs. The money collected by a court as a result of the imposition of fines or assessment of costs under the provisions of 46-18-231 and 46-18-232 shall must be paid:

(1) by a district court to the county general fund of the county in which the court is held or if the county has a district court fund, deposited in that fund, to be used to fund the operations of the district court, except that:

(a) if the costs assessed include any district court expense listed in 3-5-901, the money collected from assessment of these costs must be paid to the state for deposit into the state general fund to the extent the expenses were paid by the state;

(b) if the fine was imposed for a violation of Title 45, chapter 9 or 10, the court may order the money paid into the drug forfeiture account maintained under 44-12-206 for the law enforcement agency ~~which~~ that made the arrest from which the conviction and fine arose; and

(c) if the fine was imposed for a violation of 45-5-206, 50% of the amount collected must be deposited in the state special revenue fund for use of the department of family services in the battered spouses and domestic violence grant program created by 52-6-101; and

(2) by a justice's court pursuant to 3-10-601."

-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0103, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:


Providing that fines imposed and costs assessed by a district court in criminal cases and paid into the county general fund must be used to fund the operations of the district court.

ASSUMPTIONS:

1. The current rate of criminal case filings in district courts will continue. Precise statewide fines and assessments revenue data is not readily available but a limited survey of several counties estimated total fines and assessments revenue of less than \$18,000 annually.
2. The bill will have no fiscal impact on state revenue or state agency expenditures.

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

Revenue to county general funds will decrease with corresponding increases in revenue to the county district court funds. Precise statewide district court fines and assessments revenue data is not readily available but a limited survey of several counties estimated total fines and assessments revenue of less than \$18,000 annually.

 1-12-95

DAVE LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning



JOHN ROSE, PRIMARY SPONSOR DATE

Fiscal Note for HB0103, as introduced

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