



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2025 Biennium

Bill information:

SB0012 - Revising laws on public defender representation related to local ordinances (Lynch, Ryan)

Status: As Introduced

- Significant Local Gov Impact
 Needs to be included in HB 2
 Technical Concerns
 Included in the Executive Budget
 Significant Long-Term Impacts
 Dedicated Revenue Form Attached

	<u>FY 2024 Difference</u>	<u>FY 2025 Difference</u>	<u>FY 2026 Difference</u>	<u>FY 2027 Difference</u>
Expenditures:				
General Fund	\$41,142	\$41,142	\$41,759	\$42,386
State Special Revenue	\$0	\$0	\$0	\$0
Revenue:				
General Fund	\$36,158	\$36,158	\$36,700	\$37,251
State Special Revenue	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	<u>(\$4,984)</u>	<u>(\$4,984)</u>	<u>(\$5,059)</u>	<u>(\$5,135)</u>

Description of fiscal impact: Office of Public Defender (OPD) has represented clients in a minimum of 3,473 unique matters that contain only charges related to local government ordinances. Since the start of FY 2018, OPD has been appointed on an average of 447 of these matters per year. Further, OPD employees have tracked 1,241 hours to these matters, for an average of 248 hours per year. The above costs would be billed and reimbursed, there would also be costs associated with billing for these costs.

FISCAL ANALYSIS

Assumptions:

1. The OPD assumes \$19,175 per year based upon additional contract costs for approximately 447 matters per year.
2. The OPD assumes an additional \$16,983 of in-house attorney costs based upon 248 hours per year at a rate of 68.48 per hour (248*68.48=\$16,983).
3. The OPD assumes expenditures from assumptions 1 & 2 will be invoiced as revenue items to be paid by local governments (\$19,175+\$16,983=\$36,158).
4. An increase in FTE will be needed to invoice the local governments.
2. The OPD assumes approximately 30 minutes to complete one invoice.

3. The OPD assumes approximately 500 invoices will be generated each year.
4. Processing of invoices will require 0.12 FTE accounting tech II position, \$4,984 per year. This amount may or may not be eligible for reimbursement. For this fiscal note it is not shown as revenue.
5. A 1.5% inflation factor has been added for FY 2026 and FY 2027.

	<u>FY 2024 Difference</u>	<u>FY 2025 Difference</u>	<u>FY 2026 Difference</u>	<u>FY 2027 Difference</u>
<u>Fiscal Impact:</u>				
FTE	0.12	0.12	0.12	0.12
<u>Expenditures:</u>				
Personal Services - reimburse	\$16,983	\$16,983	\$17,238	\$17,496
Personal Services - non-reim	\$4,984	\$4,984	\$5,059	\$5,135
Operating Expenses	\$19,175	\$19,175	\$19,463	\$19,755
TOTAL Expenditures	<u><u>\$41,142</u></u>	<u><u>\$41,142</u></u>	<u><u>\$41,759</u></u>	<u><u>\$42,386</u></u>
<u>Funding of Expenditures:</u>				
General Fund (01)	\$41,142	\$41,142	\$41,759	\$42,386
TOTAL Funding of Exp.	<u><u>\$41,142</u></u>	<u><u>\$41,142</u></u>	<u><u>\$41,759</u></u>	<u><u>\$42,386</u></u>
<u>Revenues:</u>				
General Fund (01)	\$36,158	\$36,158	\$36,700	\$37,251
TOTAL Revenues	<u><u>\$36,158</u></u>	<u><u>\$36,158</u></u>	<u><u>\$36,700</u></u>	<u><u>\$37,251</u></u>
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
General Fund (01)	(\$4,984)	(\$4,984)	(\$5,059)	(\$5,135)

NO SPONSOR SIGNATURE

_____	1/4/23		12-29-22
<i>Sponsor's Initials</i>	<i>Date</i>	<i>Budget Director's Initials</i>	<i>Date</i>