



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2025 Biennium

<b>Bill information:</b>	
HB0374 - Create offense for failure to yield to an emergency vehicle (Hawk, Donavon )	
<b>Status:</b>	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

### FISCAL SUMMARY

	<u>FY 2024</u> <u>Difference</u>	<u>FY 2025</u> <u>Difference</u>	<u>FY 2026</u> <u>Difference</u>	<u>FY 2027</u> <u>Difference</u>
<b>Expenditures:</b>				
General Fund	\$0	\$0	\$0	\$0
<b>Revenue:</b>				
General Fund	\$5,395	\$5,395	\$5,395	\$5,395
<b>Net Impact-General Fund Balance:</b>	<u>\$5,395</u>	<u>\$5,395</u>	<u>\$5,395</u>	<u>\$5,395</u>

**Description of fiscal impact:** HB 374 would generate a small increase in revenue to the general fund due to the increase in fines.

### FISCAL ANALYSIS

#### Assumptions:

#### **Department of Justice (DoJ)**

- The Department of Justice estimates that there are approximate 26 first offense citations written each year.
- The current fine is \$85 and would increase to a minimum of \$500 and a maximum of \$1,000. For purposes of this fiscal note, it is assumed that fines assessed would be \$500 which would generate a \$415 increase for each citation to total annually \$10,790 (415 X 26=10,790). Per statute half of the fine goes to the county the fine was collected in (10,790 X 50%=\$5,395) and half is deposited in the state general fund. Therefore, the estimated increase in revenue to the general fund is \$5,395 annually.
- To the extent that higher fines are assessed for second, third, or subsequent violations, revenues would increase for the applicable county and the state general fund.

#### **Office of the Public Defender (OPD)**

4. For a third or subsequent offense, “imprisonment for a term of not less than 30 days” is a potential sentence.
5. The OPD has no means of tracking this new offense and cannot measure impact or materiality.

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<b><u>Fiscal Impact:</u></b>				
<b><u>Expenditures:</u></b>				
Operating Expenses	\$0	\$0	\$0	\$0
<b>TOTAL Expenditures</b>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<b><u>Funding of Expenditures:</u></b>				
General Fund (01)	\$0	\$0	\$0	\$0
<b>TOTAL Funding of Exp.</b>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<b><u>Revenues:</u></b>				
General Fund (01)	\$5,395	\$5,395	\$5,395	\$5,395
<b>TOTAL Revenues</b>	<u>\$5,395</u>	<u>\$5,395</u>	<u>\$5,395</u>	<u>\$5,395</u>
<b><u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u></b>				
General Fund (01)	\$5,395	\$5,395	\$5,395	\$5,395

**Effect on County or Other Local Revenues or Expenditures:**

1. Counties will see an increase in revenue equal to the amount the state receives, due to an increase in fines.

**Technical Notes:**

**Department of Corrections**

1. Penalties in the bill can include “imprisonment for a term of not less than 30 days” but the bill does not include a maximum sentence. Terms less than 1 year are served in county jails while terms greater than 1 year would be under the Department of Corrections (DOC). It is assumed that no person would be sentenced to a term greater than 1 year and therefore there would be no fiscal impact to DOC. However, the addition of a maximum sentence would help clarify the statute.

