FISCAL NOTE

S.B. 288

SHORT TITLE: Utah Immigration Enforcement Amendments

SPONSOR: Bramble, C.

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill will cost the Department of Workforce Services $951,600 one-time from the General Fund in FY 2012 and $5,112,600 one-time from the General Fund in FY 2013 for program start-up costs. The bill will cost the Utah State Tax Commission $193,600 one-time General Fund in FY 2013 for programming costs. This bill may cost the Department of Public Safety $710,400 in one-time start up costs in FY 2013.

Enactment of this bill may allow additional income tax withholding of an estimated $11.5 million ongoing to the Education Fund beginning in FY 2014.

Ongoing costs for the Department of Workforce Services are estimated at $5.7 million per year from the newly created Immigration Act Restricted Account for program operation beginning in FY 2014. An equal amount of revenue will presumably accrue to the account from fees authorized in this bill.

The Department of Public Safety (DPS) will collect as much as $3.1 million per year beginning in FY 2014 for background checks, fingerprinting, and FBI fees. Associated annual DPS costs could be as much as $885,000 from dedicated credits beginning in FY 2014.

Enactment of this bill may cost the Department of Public Safety an estimated $162,200 in FY 2013 and $116,700 in FY 2014 from the Transportation Restricted - Public Safety Account for training.

To the extent that state law enforcement agencies choose to detain additional individuals for verification of immigration status, those agencies could incur a cost of $100 per stop.

To the extent that the bill results in cases of public assistance fraud, the Courts would incur a cost of up to $259 per incident.

The Legislative General Counsel has attached a detailed Legislative Review Note to this bill. If provisions in the bill are challenged in court, there will be costs associated with defending those provisions.

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STATE BUDGET DETAIL TABLE	FY 2011	FY 2012	FY 2013
Revenue:			
Education Fund	$0	$11,543,500	$11,543,500
Education Fund, One-Time	$0	($11,543,500)	($11,543,500)
Total Revenue	$0	$0	$0
Expenditure:			
General Fund, One-Time	$0	$951,600	$6,016,600
Restricted Funds	$0	$0	$162,200
Total Expenditure	$0	$951,600	$6,178,800
Net Impact, All Funds (Rev.-Exp.)	$0	($951,600)	($6,178,800)
Net Impact, General/Education Funds	$0	($951,600)	($6,016,600)

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

To the extent that local law enforcement officials choose to detain individuals for verification of immigration status, local governments could incur a cost of about $100 per stop.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Approximately 58,000 individuals that apply for a worker permit would pay about $153 per year generating $8.8 million per year in revenue. Individuals guilty of prohibited conduct may pay a $750 penalty.

Employers will withhold and remit between $11.5 and $139 million per year in additional taxes. Businesses will pay a yet to be determined fee to hire individuals participating in the work program.

Residents or businesses in violation of newly defined crimes of encouraging aliens to enter illegally or enhanced crimes of transporting illegal immigrants may pay judgement fines of up to $5,000.

Individuals applying for a permit will be assessed a $1,000 fine if they have entered the country legally and overstayed. Applicants that have entered the country illegally will be assessed a $2,500 fine.

NOTE: All of the above estimates assume the programs established in this bill comes into effect on July 1, 2013 as per Section 11 of this bill. Should the State receive federal waivers before that time, the costs estimated here may be incurred earlier than anticipated in this note.