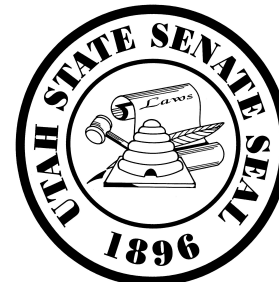




**Fiscal Note**  
**H.B. 22 1st Sub. (Buff)**

2016 General Session  
 Civil Asset Forfeiture - Procedural Reforms  
 by Greene, B. (Greene, Brian.)



**General, Education, and Uniform School Funds**

JR4-5-101

	Ongoing	One-time	Total
Net GF/EF/USF (rev.-exp.)	\$2,000,000	\$0	\$2,000,000

**State Government**

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

Enactment of this legislation could reduce revenue to the State from civil forfeitures, from provisions that limit the type of property subject to civil forfeiture, increase the burden of proof for prosecutors, remove the current cap on property use for attorney fees, require restitution payments, and allow for prejudgment interest, among other provisions. The reduction in total state revenue cannot be determined at this time. This legislation could further redirect proceeds from civil forfeitures into the Uniform School Fund, rather than the Criminal Forfeiture Restricted Account. Based on historical collections, the transferred amount could be approximately \$2 million beginning in FY 2017.

Revenues	FY 2016	FY 2017	FY 2018
General Fund Restricted	\$0	\$(2,000,000)	\$(2,000,000)
Uniform School Fund	\$0	\$2,000,000	\$2,000,000
<b>Total Revenues</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Enactment of this legislation could decrease expenditures from the State Asset Forfeiture Grant Program by approximately \$2 million beginning in FY 2017, including \$20,000 to the Commission on Criminal and Juvenile Justice for program administration, \$400,000 to Human Services for drug courts, variable amounts to the Office of the Attorney General and the Department of Public Safety, and \$800,000 in grants to local law enforcement agencies and task forces. Approximately 32 percent of program funding supports state agencies and 68 percent supports local agencies, including drug courts.

Expenditures	FY 2016	FY 2017	FY 2018
General Fund Restricted	\$0	\$(2,000,000)	\$(2,000,000)
<b>Total Expenditures</b>	<b>\$0</b>	<b>\$(2,000,000)</b>	<b>\$(2,000,000)</b>

<b>Net All Funds</b>	<b>\$0</b>	<b>\$2,000,000</b>	<b>\$2,000,000</b>
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**Local Government**

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

Local law enforcement agencies and task forces could experience a decrease of approximately \$800,000 and drug courts could experience a decrease of approximately \$400,000 in total funding beginning in FY 2017 from the State Asset Forfeiture Grant Program.

Individuals involved in civil forfeiture cases could be more likely to retain their property and could have a greater amount of attorney fees, restitution, and interest awarded to them by the courts.

**Performance Note**

JR4-2-404

No performance note required for this bill

**Notes on Notes**

Fiscal notes estimate the direct costs or revenues of enacting a bill. The Legislature uses them to balance the budget. They do not measure a bill's benefits or non-fiscal impacts like opportunity costs, wait times, or inconvenience. A fiscal note is not an appropriation. The Legislature decides appropriations separately.