



**Fiscal Note**  
**H.B. 431 3rd Sub. (Cherry)**  
 2019 General Session  
 Expungement Act Amendments  
 by Hutchings, E. (Thatcher, Daniel.)



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

JR4-5-101

	Ongoing	One-time	Total
Net GF/EF/USF (rev.-exp.)	\$(691,000)	\$(957,200)	\$(1,648,200)

**State Government**

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

Revenues	FY 2019	FY 2020	FY 2021
General Fund	\$0	\$(115,600)	\$(115,600)
Dedicated Credits	\$0	\$312,000	\$(197,500)
Total Revenues	\$0	\$196,400	\$(313,100)

Enactment of this legislation could reduce dedicated credits revenue to the Department of Public Safety (DPS) by \$33,600 one-time in FY 2020 and \$201,300 ongoing beginning in FY 2021 due to a reduction in fees from a decrease in the number of expungement applications and certificates processed by the Bureau of Criminal Identification. Enactment could generate dedicated credits revenue of \$345,600 one-time in FY 2020 and \$3,800 ongoing beginning in FY 2021 for the Department of Technology Services (DTS) for programming and other technology services provided to DPS. Enactment could reduce revenues to the General Fund by \$115,600 ongoing beginning in FY 2020 due to a reduction in fees from a decrease in the number of criminal expungements processed by district and justice courts.

Expenditures	FY 2019	FY 2020	FY 2021
General Fund	\$0	\$575,400	\$575,400
General Fund, One-Time	\$0	\$957,200	\$0
Dedicated Credits	\$0	\$323,200	\$(130,500)
Total Expenditures	\$0	\$1,855,800	\$444,900

Enactment of this legislation could reduce dedicated credits expenditures for DPS by \$22,400 one-time in FY 2020 and by \$134,300 ongoing beginning in FY 2021 by reducing two FTEs who currently process expungement applications. Enactment could cost DPS a total of \$413,100 one-time in FY 2020 and \$408,400 ongoing beginning in FY 2021 from the General Fund as follows: (1) \$56,300 one-time in FY 2020 and \$337,500 ongoing beginning in FY 2021 for four FTEs to manage, maintain, and perform other duties associated with automatic expungements required by this bill; (2) \$11,200 one-time in FY 2020 and \$67,100 ongoing beginning in FY 2021 to cover the difference between the reduction in dedicated credits revenues and expenditures to the department; and (3) \$345,600 one-time in FY 2020 and \$3,800 ongoing beginning in FY 2021 to pay DTS for programming and other technology services. Enactment could cost DTS \$345,600 one-time in FY 2020 and \$3,800 ongoing beginning in FY 2021 from dedicated credits to provide programming and other services to DPS. Enactment could cost Courts from the General Fund as follows: (1) \$952,500 one-time in FY 2020 and \$100,000 ongoing beginning in FY 2020 to develop and maintain systems to process automatic

expungements; and (2) \$10,000 ongoing beginning in FY 2020 to coordinate with judges to issue expungement orders (Courts indicates that it can absorb this cost). Enactment could cost the Division of Wildlife Resources \$57,000 ongoing from the General Fund beginning in FY 2020 for one FTE to process automatic expungements.

	<i>FY 2019</i>	<i>FY 2020</i>	<i>FY 2021</i>
<b>Net All Funds</b>	<u>\$0</u>	<u>\$(1,659,400)</u>	<u>\$(758,000)</u>

**Local Government**

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

Enactment of this legislation likely will not result in direct, measurable costs for local governments.

**Individuals & Businesses**

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

Enactment of this legislation could save individuals charged or convicted of certain offenses at least \$265 per instance of automatic expungement of the charge or conviction as compared to the cost to an individual to expunge his or her record without this legislation.

**Regulatory Impact**

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

Enactment of this legislation likely will not change the regulatory burden for Utah residents or businesses.

**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.