



Fiscal Note

H.B. 390

2020 General Session
 Amendments to Asset Forfeiture
 by Perry, L.



General, Education, and Uniform School Funds

JR4-4-101

	Ongoing	One-time	Total
Net GF/EF/USF (rev.-exp.)	\$(115,600)	\$0	\$(115,600)

State Government

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

Revenues	FY 2020	FY 2021	FY 2022
Dedicated Credits Revenue	\$0	\$40,000	\$0
Total Revenues	\$0	\$40,000	\$0

Enactment of this bill could transfer from Utah law enforcement agencies to a federal agency a portion of the estimated \$1,913,000 collected by state entities and add to the estimated \$1,009,100 collected to the Federal Surcharge. The diversion of collections could change amounts collected to the Department of Public Safety and the Attorney General's Office, however the magnitude of the change is unknown. The Department of Public Safety and the Utah Prosecution Council could each collect \$20,000 one-time in Dedicated Credits from the State Asset Forfeiture Grant Program to develop online training for local prosecutors and law enforcement.

Expenditures	FY 2020	FY 2021	FY 2022
General Fund	\$0	\$115,600	\$115,600
Dedicated Credits Revenue	\$0	\$40,000	\$0
Criminal Forfeiture Restricted Account (GFR)	\$0	\$40,000	\$0
Total Expenditures	\$0	\$195,600	\$115,600

Enactment of this bill could affect total funds granted through the State Asset Forfeiture Grant Program within the Commission on Criminal and Juvenile Justice to local law enforcement agencies, the Department of Public Safety, and the Attorney General's Office by an unknown amount. This bill could cost the Commission on Criminal and Juvenile Justice \$40,000 one-time from the Criminal Forfeiture Restricted Account in FY 2021 for a grant of \$20,000 to Department of Public Safety and a grant of \$20,000 to the Utah Prosecution Counsel to develop online training for local prosecutors and law enforcement. This bill could also cost the Attorney General's Office \$115,600 ongoing from the General Fund beginning in FY 2021 for .5 FTEs to conduct de novo reviews of forfeiture proceedings.

	FY 2020	FY 2021	FY 2022
Net All Funds	\$0	\$(155,600)	\$(115,600)

Local Government

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

Enactment of this bill could divert asset forfeiture collections to a federal agency which could affect total funds granted to local law enforcement agencies by an unknown amount. The diversion of collections could also reduce the amount collected by local prosecution offices in an unknown amount. This reduction could be offset by a reduction in workload to local prosecutors as cases are diverted to a federal agency. This bill could also cost local police departments an estimated annualized \$1,800 and local prosecution offices an estimated annualized \$1,500 ongoing to complete an annual asset forfeiture certification.

Individuals & Businesses

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

Enactment of this legislation likely will not result in direct expenditures from tax or fee changes for Utah residents and businesses.

Regulatory Impact

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

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.