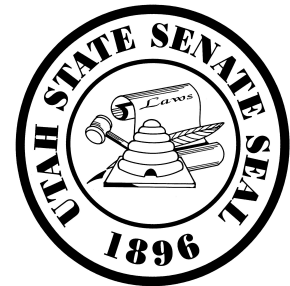




Fiscal Note
H.B. 38 1st Sub. (Buff)
 2022 General Session
 Property Theft Amendments
 by Wilcox, R. (Wilcox, Ryan.)



General, Education, and Uniform School Funds

JR4-4-101

	Ongoing	One-time	Total
Net GF/EF/USF (rev.-exp.)	\$(237,000)	\$110,000	\$(127,000)

State Government

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

Revenues	FY 2022	FY 2023	FY 2024
General Fund	\$0	\$7,300	\$7,300
Court Security Account (GFR)	\$0	\$200	\$200
Pawnbroker Operations (GFR)	\$0	\$6,500	\$6,500
Total Revenues	\$0	\$14,000	\$14,000

Enactment of this bill could increase ongoing revenue to the following accounts beginning in FY 2023:

1. General Fund - \$7,300; and 2. Court Security Account - \$200; and 3. Secondhand Merchandise Operations Restricted Account - \$6,500 through criminal and regulatory fines and fees.

Expenditures	FY 2022	FY 2023	FY 2024
General Fund	\$0	\$244,300	\$244,300
General Fund, One-time	\$0	\$(110,000)	\$(55,000)
Pawnbroker Operations (GFR)	\$0	\$6,100	\$2,000
Total Expenditures	\$0	\$140,400	\$191,300

Enactment of this bill could cost a total of \$134,300 from the General Fund in FY 2023, \$189,300 in FY 2024, \$244,300 in each year thereafter. The cost breakdown is as follows: 1. Courts - \$5,400 ongoing beginning in FY 2023 for case processing; 2. Department of Corrections - \$127,400 in FY 2023, \$182,400 in FY 2024, \$237,400 in each year thereafter for incarceration and supervision costs; and 3. Board of Pardons and Parole - \$1,500 ongoing from the General Fund in FY 2023. This assumes the following increases: 1. Probation - 10 commitments for 3 years; 2. Prison - 2 commitments for 1 year; and 3. Parole - 3 years. In addition, this could cost the Department of Commerce \$6,100 in FY 2023 and \$2,000 each year thereafter from the Secondhand Merchandise Operations Restricted Account for application processing, rulemaking, and investigative costs - the Department reports that they can absorb these costs.

	FY 2022	FY 2023	FY 2024
Net All Funds	\$0	\$(126,400)	\$(177,300)

Local Government

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

Local governments entities could experience the following estimated expenditure impacts beginning in FY 2023: 1. Prosecutors - \$3,500 increase; 2. Public Defense - \$17,600 increase; and 3. County Jails about \$83/day/offender in incarceration costs; and 4. reduce court processing costs by an unknown amount. Enactment of this bill could shift ongoing revenue of about \$7,500 annually to state revenue (please see State Revenues table - General Fund and Court Security Account).

Individuals & Businesses

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

Individuals and businesses could pay \$14,000 ongoing in aggregate in fines/fees beginning in FY 2023. The breakdown is as follows: 1. About 12 individuals cited for violations could pay \$625 each on average for an aggregated \$7,500 in fines to state courts instead of local courts; 2. About 20 businesses could pay \$300 each in registration fees for a total of \$6,000; and 3. One business could be fined annually and pay \$500.

Regulatory Impact

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

Enactment of this legislation could result in a small increase in the regulatory burden for Utah residents or businesses.

Performance Evaluation

JR1-4-601

This bill does not create a new program or significantly expand an existing program.

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.