



# Fiscal Note

## H.B. 209

2019 General Session  
 Extreme Risk Protective Order  
 by Handy, S.



### General, Education, and Uniform School Funds

JR4-5-101

	Ongoing	One-time	Total
Net GF/EF/USF (rev.-exp.)	\$(395,600)	\$181,600	\$(214,000)

### State Government

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

Revenues	FY 2019	FY 2020	FY 2021
General Fund	\$0	\$6,000	\$6,000
GFR - Court Security Account	\$0	\$800	\$800
Surcharge Fines	\$0	\$10,800	\$10,800
<b>Total Revenues</b>	<b>\$0</b>	<b>\$17,600</b>	<b>\$17,600</b>

Enactment of this bill could result in ongoing General Fund revenue, beginning in FY 2020 of \$6,000 from the assessment of fines. Revenue in the amount of \$10,800 would also accrue to the Criminal Surcharge Account and \$800 to the GFR - Court Security Account beginning in FY 2020.

Expenditures	FY 2019	FY 2020	FY 2021
General Fund	\$0	\$401,600	\$401,600
General Fund, One-Time	\$0	\$(181,600)	\$(108,300)
<b>Total Expenditures</b>	<b>\$0</b>	<b>\$220,000</b>	<b>\$293,300</b>

Enactment of this bill could cost a total of \$220,000 from the General Fund in FY 2020, \$293,300 in FY 2021, \$299,400 in FY 2022, \$305,500 in FY 2023, and \$311,600 each year thereafter. This assumes a total of about 15 new convictions a year and 2 new prisoners each year until released from probation in FY 2024 when the total increased prisoner/parolee count reaches a constant state of 16 additional prisoners and presumes an average prison length of stay of 2 years and probation for up to 3 years. The cost breakdown is as follows: 1. Courts - \$145,200 ongoing beginning in FY 2020 for case process and protective order hearings; 2. Department of Corrections - \$73,000 in FY 2020, \$146,000 in FY 2021, \$151,000 in FY 2022, \$201,000 in FY 2023, and \$251,000 each year thereafter for incarceration and supervision costs; 3. Board of Pardons and Parole - \$1,000 in FY 2020, \$2,100 in FY 2021, \$3,200 in FY 2022, \$4,300 in FY 2023, and \$5,400 each year thereafter for additional hearings.; and 4. Department of Public Safety - \$800 in FY 2020 for programming costs.

	FY 2019	FY 2020	FY 2021
<b>Net All Funds</b>	<b>\$0</b>	<b>\$(202,400)</b>	<b>\$(275,700)</b>

**Local Government**

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

Enactment of this bill could result in a fiscal impact for local entities which could see fine revenue increase by an estimated \$6,000. County jails could see costs up to \$81,900 statewide for costs of jail time for new charges for noncompliance. The bill could also result in costs to local law enforcement to serve more protective orders, but the Sheriff's Association submits that these may be absorbed within current budget levels.

**Individuals & Businesses**

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

Individuals cited for violations could pay an aggregated \$12,800 in fines and an additional \$10,800 to the Criminal Surcharge Account.

**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

Required of the Courts and due by February 01, 2019

**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.