

BDR 14-559

SB 454

EXECUTIVE AGENCY FISCAL NOTE

AGENCY'S ESTIMATES

Date Prepared: April 3, 2015

Agency Submitting: Office of the State Controller

Items of Revenue or Expense, or Both	Fiscal Year 2014-15	Fiscal Year 2015-16	Fiscal Year 2016-17	Effect on Future Biennia
Total	0	0	0	0

Explanation

(Use Additional Sheets of Attachments, if required)

The Bill Draft Request (BDR) 14-559 would negatively affect the State Controller's Office activities. The bill is very specific about how the money should be distributed when it is collected. This would add significant extra duties to SCO without ensuring corresponding funding.

Our office would have to prorate the payments received to each person to whom the restitution was ordered. One parolee may pay restitution to multiple people so our office would be responsible to prorate the payments received amongst the multiple people to receive restitution.

Our office would have to send monthly statements to the probationer or parolee, locate the person to whom the restitution was ordered to pay the money.

Section 11 (7) indicates that the parole is entitled to a hearing to show the existence of hardship. It is not clear about who will conduct the hearing. It would be very time consuming for the Controller's Office to conduct hearings (Assistant Controller, Deputy Controller and/ or The Controller).

The current process is that the Controller's Office receives or collects the money from the debtor(s), submits the net amount to the state agency and the state agency distributes the money to the other parties. Currently SCO does not work with the Courts.

Name James Smack

Title Chief Deputy Controller

DEPARTMENT OF ADMINISTRATION'S COMMENTS

Date Friday, March 27, 2015

The agency's response appears reasonable.

Name Jim Wells

Title Director