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Specialty Court Funding

ASSEMBLY BILL 29

2/18/2003

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Goal and Objective

- To augment the funding system for all Specialty Courts.
- History of Specialty Courts in Nevada
- Amend NRS 176 to provide for an additional administrative assessment in misdemeanor cases dedicated to Specialty Courts.

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ASSEMBLY/JUDICIARY

DATE: *2/18/03* ROOM 3138 EXHIBIT *D*

SUBMITTED BY: *Judge Green*

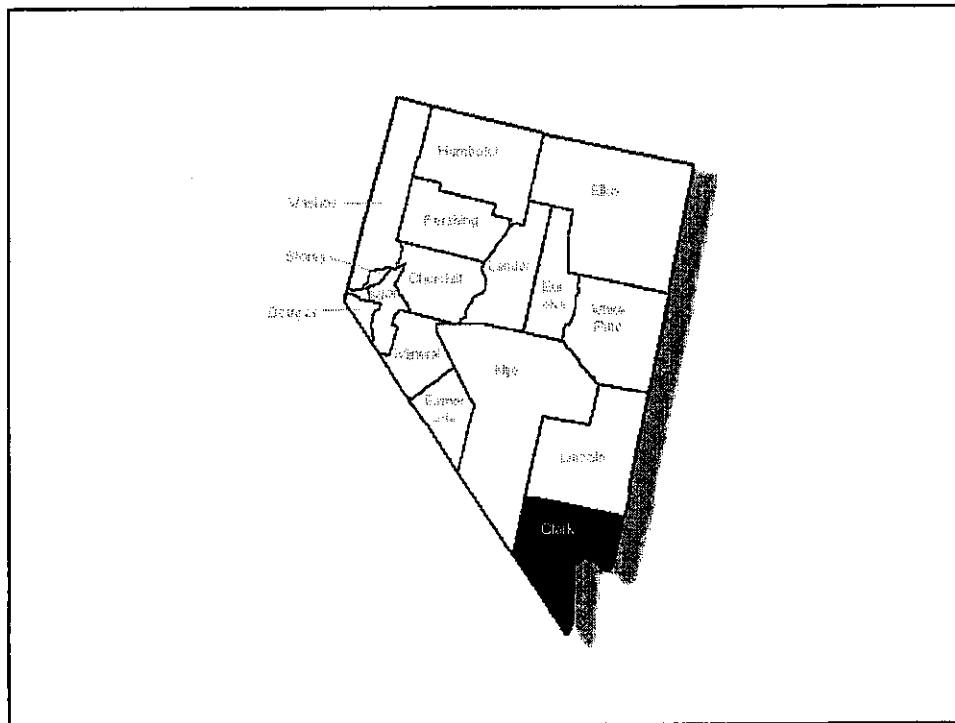
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Today's Situation

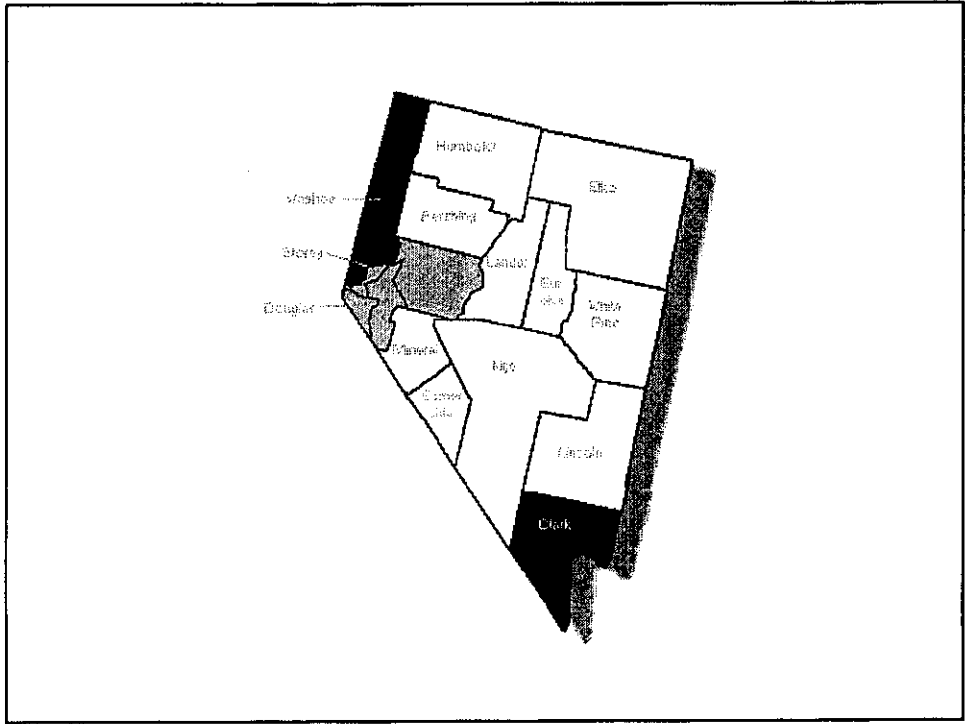
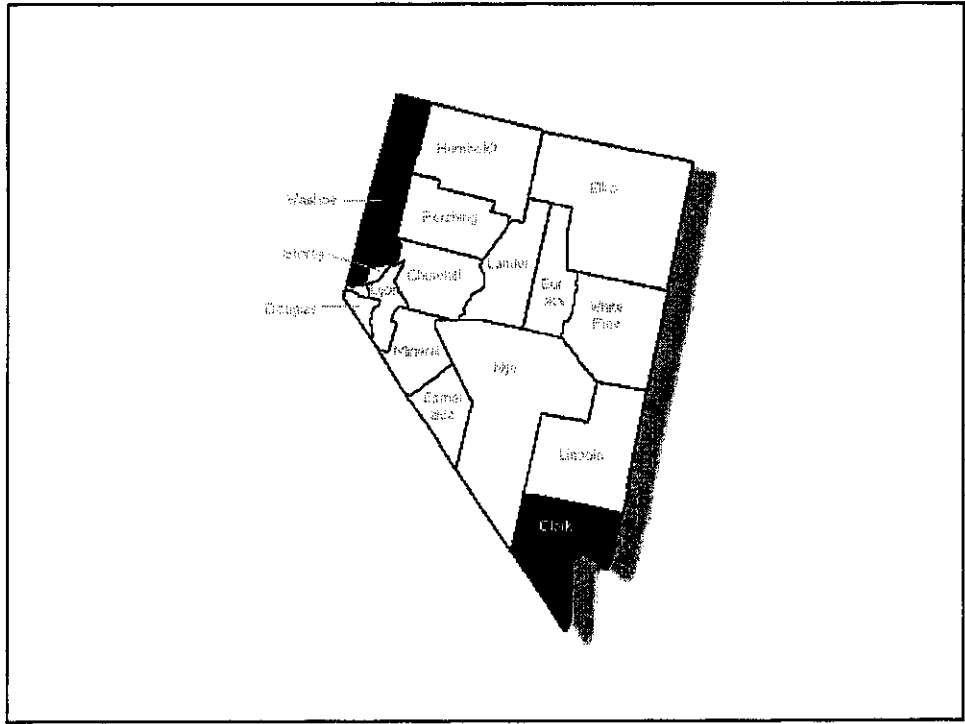
- Funding for Specialty Courts in the past have been through State and County "one-shots" whereby a specific amount has been granted to the individual specialty courts for a designated fiscal year.
- Traditional sources of funding are decreasing.
- Specialty Courts state-wide have begun to establish themselves in new jurisdictions or expand into new areas.

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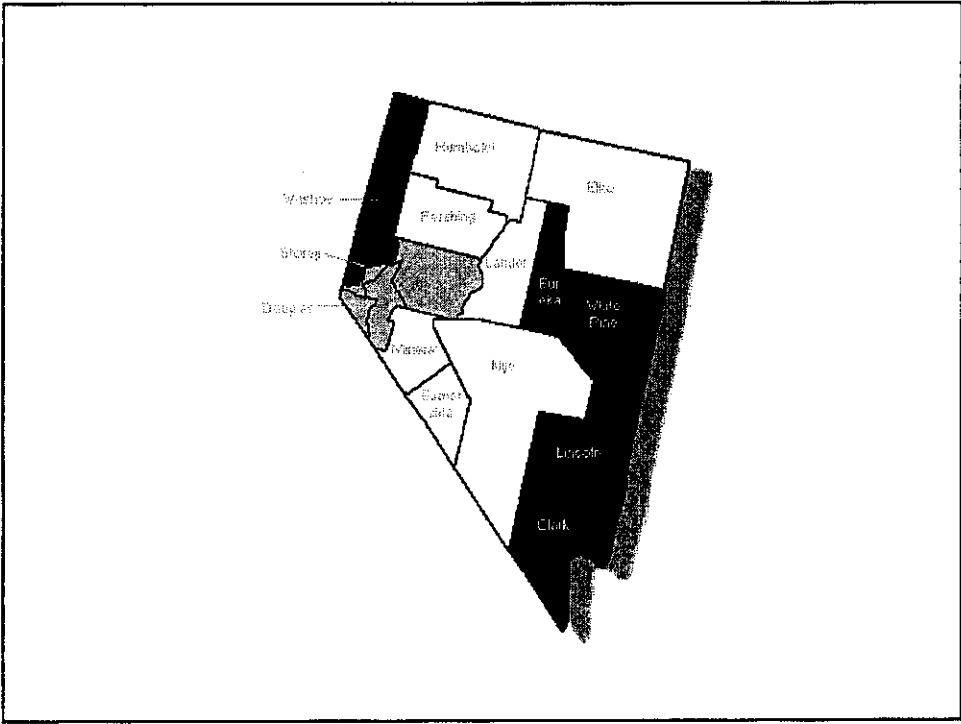
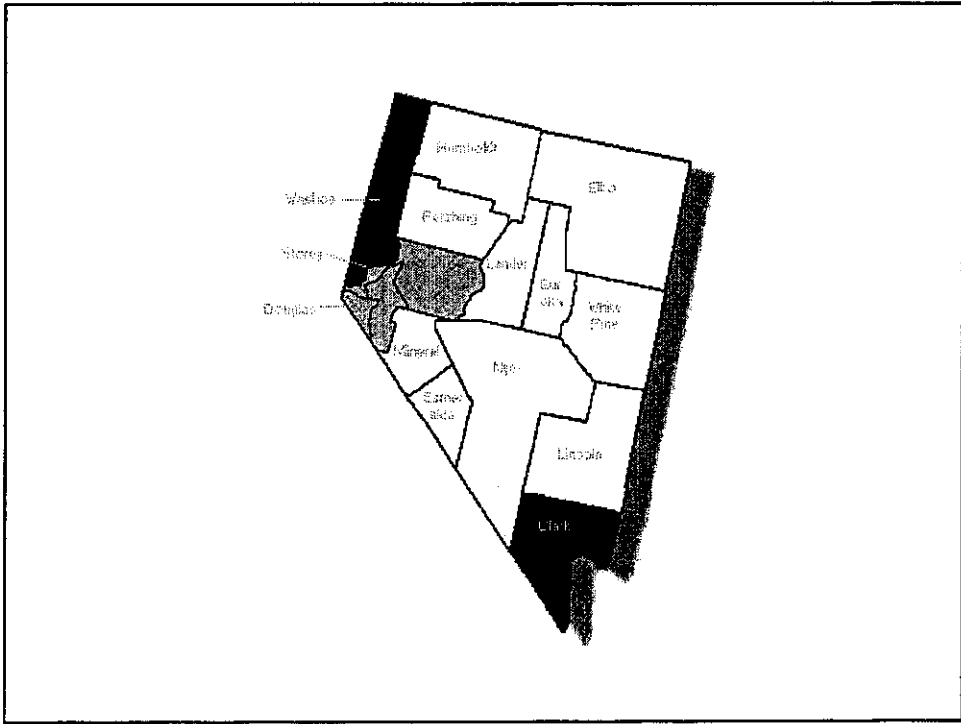
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CURRENT FUNDING SOURCES

- Historically, Clark County has relied on Federal grants, State and County funding grants and profits from the DUI school.
- Washoe County has relied exclusively on County and State grants.
- The new Rural Drug Court received State money and a federal grant.
- Federal grants are typically "start-up" or "enhancement" grants that fund a program for a limited time and then require local funding to take over.

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ASSEMBLY BILL 29

- AB 29 amends NRS 176.059, et. seq. to mandate the collection of a Specialty Court Assessment with every misdemeanor fine imposed in Municipal or Justice's Court.

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AB 29 SECTION 1

- Paragraph 1. Authorizes the assessment.
- Paragraph 2. Establishes a \$15 assessment on every misdemeanor conviction.
- Paragraph 3. Exempts the assessment from parking violations and civil penalties.
- Paragraph 4. Mandates the assessment not be deducted from the fine and describes the procedure used to document the assessment.
- Paragraph 5. Provides for installment payments and establishes the order of collection.

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AB 29 SECTION 1, Paragraphs 6 and 7

- Establishes money trail from municipal and justices' courts to county treasurer.
- Mandates that money not spent within two years goes to the County general fund.
- Provides that money raised in jurisdictions with no specialty court goes to State to be spent on existing programs with legislative over-sight.

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AB 29 SECTION 1, PARAGRAPHS 8 AND 9 and Sections 2-6.

- Paragraph 8. Defines permissible uses of the funds.
- Paragraph 9. Defines a qualifying "specialty court program".
- Sections 2 through 6. Conforms section 1 amendments to other existing statutes.

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AB 29 Details Summary

- Amends NRS 176 to include a \$15 additional assessment on every misdemeanor fine to be dedicated to Specialty Courts.
- The assessment money is placed in a special account by the County Treasurer and distribution is controlled by the District Court
- Allowable expenditures include treatment, testing, judges and program enhancement.

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Proposal Details Continued:

- Funds not used within two years of collection revert to the county general fund.
- Funds collected in jurisdictions with no specialty courts revert to the State to support established programs with legislative oversight.

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How much would it raise annually at \$15 per misdemeanor fine?

- Clark County-- \$5.1 million
- Washoe County--\$930,000
- Rural Drug Court--\$480,000
- Fifth Judicial District--\$210,000

Based on AOC figures for number of misdemeanor AA's collected in FY2000 and 2002.

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Proposal Advantages

- Money raised would stay in the jurisdiction that raised it.
- Funds are raised from a population more likely to use a Specialty Court.
- Amount raised would vary based on criminal activity in each jurisdiction.
- Would encourage the establishment of specialty courts in all jurisdictions.

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