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**AB 29
Presentation Documents**

- Item 1 AB 29 Summary

- Item 2 AB 29 Figure 1; Administrative Assessments – Current and Proposed

- Item 3 AB 29 Figure 2; Selected Fines and Assessments – Current and Proposed

- Item 4 AB 29 Figure 3; Assessments/Surcharges in other Western States

- Item 5 Judicial Council Resolution

F-106 7

ASSEMBLY WAYS AND MEANS
DATE: 4/30/03 ROOM: 3137 EXHIBIT F
SUBMITTED BY: Chief Justice Deborah Agosti

AB 29 Summary

Section 1 – Chapter 176 of NRS; Specialty Court Assessment.

Provides for a \$5.00 assessment on all misdemeanor violations where the defendant is found guilty or pleads guilty. The funds are forwarded to the state controller and placed in a special account to be distributed by the Office of the Court Administrator to assist in the funding of specialty courts. (expected revenue – \$2,500,000.00)

Section 2 – NRS 176.059; Administrative Assessments.

Increases the administrative assessments by \$10.00. The section also clarifies the language that any assessment included in setting bail shall be distributed as assessments when the bail is forfeited. (expected revenue – \$5,000,000.00)

Current distribution of administrative assessments is as follows:

Office of Court Administrator – 51 percent (\$2,550,000.00)

18.5 percent for administration of the courts (\$ 471,750.00)

9 percent for uniform system for judicial records (\$229,500.00)

9 percent for judicial education (\$ 229,500.00)

60 percent for the Supreme Court (\$1,530,000.00)

3.5 percent for Retired Justices/Judges duty fund (\$89,250.00)

General Fund – 49 percent (4,900,000.00), current distribution as follows:

14.71 percent for Police Officers Standards and Training (\$360,395.00)

63.68 percent for Criminal History Repository (\$1,560,160.00)

19.84 percent for Victims of crime (\$489,080.00)

1.77 percent for Council for Prosecuting Attorneys (\$43,365.00)

Section 3 – NRS 176.0611; Court Facility Assessment.

Provides for court facility assessments included in setting the bail are to be distributed to court facilities.

Section 4 – NRS 178.502; Bail Forfeitures.

The time limit for bail bonds, currently set at one year, is removed.

Section 5 – NRS 178.508; Bail Forfeitures

Require that orders of forfeiture be forwarded to the Office of Court Administrator.

Section 6 – NRS 178.512; Bail Forfeitures

If a forfeiture is set aside the courts must now forward a copy of the order to the Office of Court Administrator.

Section 7 – NRS 178.514; Bail Forfeitures

If the Court Administrator has not received an order setting aside a forfeiture the within 180 days the Office of Court Administrator shall request the court to enter a judgment of default.

Section 8 – NRS 178.518; Bail Forfeitures distribution

Proposes a 50/50 split of bail forfeitures collected between Victims of Crime and Specialty Courts.

Section 9 – 179.225; add reference to 176.0611 and section 1

Section 10 – NRS 1.360; Duties of Court Administrator

Requires the Court Administrator to submit a report to the Legislature on the distribution of specialty court funds including the status of specialty courts receiving funding.

Section 11 – NRS 211.245; add reference to 176.0611 and section 1

Section 12 – NRS 249.085; add reference to section 1

Section 13 – Effective date, July 1, 2003

AB 29 - Figure 1

Administrative Assessments - Current and Proposed

		NRS 176.059		NRS 176.0611		AB 29	
		Assessment		w / Facility fee		Specialty Court and AA increase	
Fine						(\$5.00 Specialty Courts; \$10.00 Admin Assessment)	
\$ 5 to \$ 49	\$ 15.00	30.6%	\$ 25.00	51.0%	\$ 40.00	81.6%	
\$ 50	\$ 30.00	50.8%	\$ 40.00	67.8%	\$ 55.00	93.2%	
\$ 60	\$ 35.00	50.7%	\$ 45.00	65.2%	\$ 60.00	87.0%	
\$ 70	\$ 40.00	50.6%	\$ 50.00	63.3%	\$ 65.00	82.3%	
\$ 80	\$ 45.00	50.6%	\$ 55.00	61.8%	\$ 70.00	78.7%	
\$ 90	\$ 50.00	50.5%	\$ 60.00	60.6%	\$ 75.00	75.8%	
\$ 100	\$ 60.00	30.2%	\$ 70.00	35.2%	\$ 85.00	42.7%	
\$ 200	\$ 70.00	23.4%	\$ 80.00	26.8%	\$ 95.00	31.8%	
\$ 300	\$ 80.00	20.1%	\$ 90.00	22.6%	\$ 105.00	26.3%	
\$ 400	\$ 90.00	18.0%	\$ 100.00	20.0%	\$ 115.00	23.0%	
\$ 500	\$ 105.00	10.5%	\$ 115.00	11.5%	\$ 130.00	13.0%	

* Percentages taken on the upper fee limit

AB 29 Figure 3

Assessments/Surcharges in other Western States

State/City	Offense	Fine Amount	Assessment/Surcharges	Total
California	Speed >1 to 15	\$25.00	\$51.00 204%	\$77.00
	Speed > 16 to 25	\$50.00	\$85.00 170%	\$135.00
	Speed >25 and Above	\$100.00	\$170.00 170%	\$270.00
Colorado	Speed > 1 to 4	\$15.00	\$2.00 13%	\$17.00
	Speed > 5 to 9	\$35.00	\$4.00 11%	\$39.00
	Speed > 10 to 19	\$50.00	\$6.00 12%	\$56.00
Utah	Speed > 1 to 10	\$50.00	\$17.50 35%	\$67.50
	Speed > 11 to 15	\$75.00	\$26.25 35%	\$101.25
	Speed > 16 to 20	\$125.00	\$43.75 35%	\$168.75
Washington	Speed > 1 to 5	\$22.00	\$24.00 109%	\$46.00
	Speed > 6 to 10	\$32.00	\$24.00 75%	\$56.00
	Speed > 11 to 15	\$47.00	\$24.00 51%	\$71.00
Arizona	Speed > 1 to 10	\$50.00	\$38.75 78%	\$88.75
	Speed > 11 to 13	\$55.00	\$42.35 77%	\$97.35
	Speed > 14 to 16	\$60.00	\$46.20 77%	\$106.20
	Speed > 17 to 19	\$65.00	\$50.05 77%	\$115.05

California has a penalty assessment of \$17.00 for every \$10.00 or portion thereof of fine or bail.

Colorado's surcharge is in \$2.00 increments, increasing w/the amount of the base fine.

Utah's surcharge is 35%

Washington's surcharge is a total of \$24.00 for two state funds, \$5.00 to Trauma and \$19.00 to Roads and Highways.

Supreme Court of Nevada
ADMINISTRATIVE OFFICE OF THE COURTS

Supreme Court Building
201 South Carson Street, Suite 250
Carson City, Nevada 89701-4702



RONALD R. TITUS
Director and
State Court Administrator

JUDICIAL COUNCIL OF THE STATE OF NEVADA

"To unite and promote Nevada's judiciary as an equal, independent and effective branch of government"

RESOLUTION

Whereas, the Judicial Council has introduced a bill in the Nevada Legislature to provide additional funding for specialty courts and programs by authorizing a specialty court administrative assessment that upon collection would be forwarded to the Administrative Office of the Courts for distribution; and

Whereas, specialty courts, such as drug and mental health courts, have been found to be beneficial in returning participants and defendants to productive citizenship; and

Whereas, specialty courts save tax dollars by providing a rehabilitative alternative to jail or prison; and

Whereas, the Judicial Council will recommend to the Supreme Court the appropriate distribution of specialty courts funds throughout the state of Nevada; and

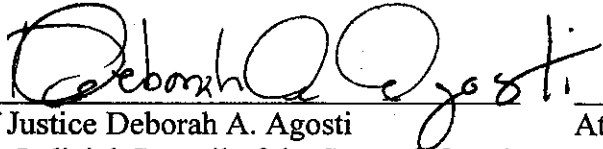
Whereas, there are currently specialty court programs in the First, Second, Third, Eighth, and Ninth Judicial Districts; and

Whereas, the need for funds varies among the existing courts; and

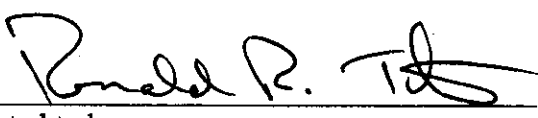
Whereas, the Judicial Council desires to make specialty courts available to as many Nevada citizens as possible;

Now, Therefore, be it resolved that the Judicial Council intends that current specialty court programs be funded to ensure continued operation and that new programs be initiated and funded so that, to the extent practical, all citizens of Nevada have equal access to specialty court programs.

Passed, Adopted and Approved this 7th day of March, 2003



Chief Justice Deborah A. Agosti
Chair, Judicial Council of the State of Nevada



Attested to by:
Ronald R. Titus, State Court Administrator
Secretary, Judicial Council of the State of
Nevada

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