



Legislative Fiscal Bureau

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TO: Members
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Assembly Bill 771: Grant to Lafayette County for Drug Law Enforcement

Assembly Bill 771 (AB 771) would require the Department of Justice to award the Lafayette County Sheriff's Department \$50,000 annually during the 2015-17 biennium for drug law enforcement and drug interdiction services. The Department would be required to utilize its law enforcement services general program operations GPR appropriation to support the grants to the Lafayette County Sheriff's Department.

Assembly Bill 771 was introduced into the Assembly on January 22, 2016, and referred to the Committee on Criminal Justice and Public Safety.

BACKGROUND

2015-17 Biennial Budget

On March 7, 2015, during deliberations of the 2015-17 biennial budget bill (AB 21/ SB 21), the Joint Committee on Finance passed a motion to require the Department of Justice (DOJ) to provide the Lafayette County Sheriff's Department \$50,000 annually during the 2015-17 biennium on a non-continuing basis for drug law enforcement and drug interdiction. In order to support the grants, the motion would have provided \$50,000 PR annually to DOJ's law enforcement services drug law enforcement, crime laboratories, and genetic evidence activities PR appropriation. Program revenue for this appropriation is generated from the crime laboratory and drug law enforcement surcharge (\$13, assessed if a court imposes a sentence, places a person on probation, or imposes a forfeiture for a violation of most state laws and municipal and county ordinances) and the DNA surcharge (\$250 for each felony conviction, \$200 for each misdemeanor conviction). The Committee's motion was passed by a vote of 16-0.

The Lafayette County grant provision was included in the biennial budget bill passed by the Legislature and presented to the Governor on July 10, 2015.

The Governor vetoed the Lafayette County grant provision of the biennial budget bill. In vetoing the provision, the Governor indicated that: "...I object to providing a grant to one specific recipient. I encourage the Lafayette County Sheriff to work with the Attorney General to pursue funding to address law enforcement needs in the county."

Law Enforcement Services Program Within the Department of Justice

The Department of Justice's law enforcement services program is primarily responsible for supporting the activities of the Department's Division of Law Enforcement Services and Division of Criminal Investigation. Funding for the law enforcement services program totals \$74,926,000 in 2015-16 and \$75,114,500 in 2016-17 (all funds). Funding in 2015-16 is comprised of \$24,390,000 GPR, \$41,241,800 PR, \$8,906,700 FED, and \$387,500 SEG. Funding in 2016-17 is comprised of \$24,442,400 GPR, \$41,372,400 PR, \$8,911,500 FED, and \$388,200 SEG.

General purpose revenue funding for the law enforcement services program is primarily supported by the program's general program operations appropriation. Funding for the general program operations appropriation totals \$21,065,000 GPR in 2015-16 and \$21,117,400 GPR in 2016-17.

SUMMARY OF BILL

Assembly Bill 771 requires the Department of Justice to award the Lafayette County Sheriff's Department \$50,000 annually during the 2015-17 biennium for drug law enforcement and drug interdiction services. Grant funding would be provided on a non-continuing basis. The Department would be required to utilize existing funding in its law enforcement services general program operations appropriation to support the grants to the Lafayette County Sheriff's Department.

FISCAL EFFECT

The bill requires that DOJ award the Lafayette County Sheriff's Department \$50,000 annually during the 2015-17 biennium. Grant funding would be provided on a non-continuing basis.

The bill does not provide DOJ additional funding to support the award. Rather, DOJ would have to utilize base resources within its general program operations appropriation to support the annual grants to Lafayette County during the 2015-17 biennium. Funding for the general program operations appropriation totals \$21,065,000 GPR in 2015-16 and \$21,117,400 GPR in 2016-17.

As of this writing, the Department has not prepared a fiscal estimate for AB 771.

Prepared by: Michael Steinschneider