

Statement of Estimated State Revenue Impact

Date: March 14, 2011

Bill Number: S. B. 205

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Committee Requesting Impact: Senate Finance

Bill Summary: A Joint Resolution to provide that the General Assembly may not authorize a state agency, department, or entity to increase or implement a fee, penalty, or fine in the State annual General Appropriations Act or other acts supplemental to that act; to provide that any increase or implementation of a fee or fine only may be authorized by an act separate from an appropriations act; to provide that no state agency, department, or entity may increase or implement by regulation or administrative action a fee, penalty, or fine; to provide exceptions to these prohibitions, to provide for the expiration of these prohibitions January 15, 2013, unless reauthorized by law; and to establish the Other Funds Study Committee to review and make recommendations concerning agency earmarked and restricted fund accounts, including funds from all sources retained and expended for agency operations, to provide for the memberships of the committee, to require the committee to report its finding and recommendations no later than January 15, 2013, after which the committee terminates.

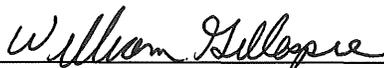
REVENUE IMPACT ^{1/}

Since this Joint Resolution does not change or override the collection or allocation of state revenue sources authorized under current laws and regulations, it is not expected to impact state revenues in FY 2011-12 nor in the first half of FY 2012-13.

Explanation: Effective upon enactment, and except for limited exclusions, this Joint Resolution would otherwise prohibit the General Assembly from authorizing a state agency, department, or entity to increase or implement a fee, penalty, or fine in the State General Appropriation Act or other acts supplemental to that. It further restricts a state agency, department, or entity from increasing or implementing a fee for performing a service or function, or a civil penalty or fine for noncompliance with a requirement or provision of law under its jurisdiction by regulation or administrative action. The provisions of this resolution, where applicable, would expire January 15, 2013, unless reauthorized by the General Assembly by law.

This resolution maintains the *status quo* on fees, fines and penalties as currently established by regulation or administrative action, and would restrict new revenue raising measures by such means until January 15, 2013, unless subsequently amended by action of the General Assembly by law.

Since, under current language, the resolution would not supersede such provisions in the to be enacted General Appropriations Act for FY 2011-12 that may raise or implement fees, fines or penalties currently allocated to the state's General Fund or agency/entity Earmarked or Restricted funds, it is therefore not expected to impact state revenues generated from existing temporary or permanent statutes, regulations and associated administrative actions in FY 2011-12 nor in the first half of FY 2012-13.



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^{1/} This statement meets revenue impact requirements of Section 2-7-71 for a state impact by BEA, Section 2-7-76 for a local impact or Section 6-1-85(B) for an estimate of the shift in local property tax incidence by Office of Economic Research (OER).