

SB 441-FN-LOCAL - AS INTRODUCED

2022 SESSION

22-3017  
08/10

SENATE BILL        ***441-FN-LOCAL***

AN ACT            relative to the municipal share of fines for motor vehicle speeding offenses.

SPONSORS:        Sen. Perkins Kwoka, Dist 21; Rep. Vann, Hills. 24

COMMITTEE:      Ways and Means

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ANALYSIS

This bill provides for municipalities to receive a portion of fines collected for motor vehicle offenses.

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Explanation:      Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struck through.]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Two*

AN ACT relative to the municipal share of fines for motor vehicle speeding offenses.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 Duties of Clerks; Disposition of Fines. Amend RSA 502-A:8, I to read as follows:

2 I. The clerk of the applicable circuit court established in RSA 490-F shall receive all fines  
3 and forfeitures paid into the district court from any source. The clerk of any circuit court may accept  
4 payment of the fine by credit card in lieu of cash payment. Any transaction costs assessed by the  
5 issuer of the credit card shall be paid out of the portion of the fine amount which is deposited with  
6 the treasurer and not out of the penalty assessment charged by a district court. The clerk shall  
7 forward **80 percent of the total** fines collected for violations of title XXI to the treasurer for deposit  
8 in the highway fund **within 14 days and shall retain the remainder for the municipality in**  
9 **which the violation occurred.** ~~and~~ **The clerk shall forward** fines collected for violations of  
10 title LXII and all other statutes to the treasurer for deposit in the general fund within 14 days. The  
11 clerk shall separately indicate which fines were for violations of title XXI. Fines and forfeitures  
12 collected by the clerk **for remittance to municipalities for violations of title XXI and** for  
13 violations of municipal ordinances, codes, or regulations, except those adopted pursuant to RSA  
14 31:39, I(g); RSA 41:11; RSA 47:17, IV, VI, VII, or VIII; and RSA 105:6 and RSA 105:7, shall be  
15 remitted monthly to the treasurer of the municipality prosecuting said violations, for the use of the  
16 municipality. All expenses related to the processing of parking violations and the administrative  
17 collection of parking fines shall be the responsibility of the local unit of government, and all fines  
18 collected shall be retained in their entirety by the local unit of government.

19 2 Effective Date. This act shall take effect January 1, 2023.

**SB 441-FN-LOCAL- FISCAL NOTE  
AS INTRODUCED**

AN ACT relative to the municipal share of fines for motor vehicle speeding offenses.

**FISCAL IMPACT:**     State             County             Local             None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
<b>Appropriation</b>	\$0	\$0	\$0	\$0
<b>Revenue</b>	\$0	Decrease of Approximately \$1 million	Decrease of Approximately \$1 million	Decrease of Approximately \$1 million
<b>Expenditures</b>	\$0	Indeterminable Decrease	Indeterminable Decrease	Indeterminable Decrease
<b>Funding Source:</b>	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input checked="" type="checkbox"/> Highway	<input type="checkbox"/> Other

**LOCAL:**

<b>Revenue</b>	\$0	Increase of Approximately \$1 million	Increase of Approximately \$1 million	Increase of Approximately \$1 million
<b>Expenditures</b>	\$0	\$0	\$0	\$0

**METHODOLOGY:**

This bill provides for municipalities to receive a portion of fines collected for motor vehicle offenses. The Judicial Branch indicates this bill would modify how fines collected under Title XXI are distributed. Current law provides that the court transmit fines collected for violations of Title XXI to the State Treasurer within 14 days for deposit in the Highway Fund. The bill would provide that 80% of the fines collected be transmitted to the Treasurer with the remainder retained for the municipality in which the violation occurred. If the bill passes, the Judicial Branch will need to reconfigure its Odyssey case management system to report the new split funding distribution to the Treasurer and the municipalities, and to match the municipality to the specific fine collected under Title XXI. The Branch estimates the cost to reconfigure the Odyssey system would be \$5,000. The Branch assumes it would send checks to 90% of the State's 234 municipalities on a monthly basis, at an estimated cost of approximately \$1,850 per year, assuming no increase in mailing costs. The Branch projects that the courts will collect approximately \$5.4 million in Highway Fund revenues from Title XXI violation fines. If 20% is diverted to municipalities, the decrease to the Highway Fund would be approximately \$1,080,000.

The Department of Safety indicates this bill would reduced revenue to the Highway Fund, but there would be no impact on revenue to the Division of Motor Vehicles. Local revenue would increase by an offsetting amount. There would be no impact on county revenue or county and local expenditures.

**AGENCIES CONTACTED:**

Judicial Branch and Department of Safety