

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 7557

BILL NUMBER: HB 1394

DATE PREPARED: Jan 8, 1999

BILL AMENDED:

SUBJECT: Motor vehicle dealers sales.

FISCAL ANALYST: Mark Bucherl

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**FUNDS AFFECTED: GENERAL
 DEDICATED
 FEDERAL**

IMPACT: State & Local

Summary of Legislation: This bill makes it a Class B misdemeanor for a person who is in the business of buying, selling, or trading motor vehicles to buy, sell, or trade motor vehicle parts, accessories, or paraphernalia on Sunday.

Effective Date: July 1, 1999.

Explanation of State Expenditures:

Explanation of State Revenues: Currently, several motor cycle dealers across the state engage in parts, accessories and paraphernalia sales on Sunday. This bill, in prohibiting this activity, may cause a negligible drop in sales tax revenue from these sales.

This bill may cause additional Class B misdemeanors to be filed. If additional court cases occur and fines are collected, revenue to both the Common School Fund and the state General Fund could increase. The maximum fine for a Class B misdemeanor is \$1,000. Criminal fines are deposited in the Common School Fund. If the case is filed in a circuit, superior, county or municipal court (courts of record), 70% of the \$120 court fee that is assessed and collected when a guilty verdict is entered would be deposited in the state General Fund. If the case is filed in a city or town court, 55% of the fee would be deposited in the state General Fund.

Explanation of Local Expenditures: A Class B misdemeanor is punishable by up to 180 days in jail. The average daily cost to incarcerate a prisoner in a county jail is approximately \$44.

Explanation of Local Revenues: If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$120 court fee that is assessed in a court of record. Cities and towns maintaining a law

enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed, and if collected would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed, and if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected:

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Tim Dowling, Indiana Auto Dealers Association.