

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

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 6606

BILL NUMBER: HB 1096

DATE PREPARED: Dec 6, 1999

BILL AMENDED:

SUBJECT: Railroad employees involved in accidents.

FISCAL ANALYST: James Sperlik

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**FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL**

IMPACT: State & Local

Summary of Legislation: This bill requires a Class I or Class II railroad company to offer to relieve an employee involved in a train accident from duty for three days if the accident results in a death or serious bodily injury. It requires a Class I or Class II railroad company to provide counseling services to an employee involved in a train accident that results in a death or serious bodily injury. The bill provides that if an employee requests an extension of the counseling services provided by the railroad company, the railroad shall have a mental health professional certify that the employee does not suffer from posttraumatic stress disorder before the railroad may discontinue counseling services. It makes it a Class C infraction for a railroad company to violate these requirements.

Effective Date: July 1, 2000.

Explanation of State Expenditures:

Explanation of State Revenues: The bill makes it a Class C infraction for violation of the bill's requirements. If additional court cases occur, revenue to the State General Fund may increase if infraction judgments and court fees are collected. The maximum judgment for a Class C infraction is \$500 which is deposited in the State General Fund. If court actions are filed and a judgment is entered, a court fee of \$70 would be assessed. 70% of the court fee would be deposited in the State General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court.

Explanation of Local Expenditures:

Explanation of Local Revenues: If additional court actions are filed and a judgment is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$70 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: