

# OFFICE OF FISCAL ANALYSIS

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HB-5314

AN ACT CONCERNING RECOMMENDATIONS BY THE  
DEPARTMENT OF TRANSPORTATION.

AMENDMENT

LCO No.: 5751

File Copy No.: 363

House Calendar No.: 237

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## ***OFA Fiscal Note***

***See Fiscal Note Details***

The amendment strikes the underlying bill and its associated fiscal impact.

Section 1 of the amendment eliminates the Department of Transportation's (DOT) Town Aid Road emergency account which is currently \$871,792. The bill requires this amount to be used as part of the underlying balance of the Special Transportation Fund.

Section 2 allows DOT to adopt regulations establishing reasonable fees for state highway right-of-way encroachment permits as outlined in section 673 of PA 17-2 JSS. This is anticipated to result in a revenue gain of approximately \$150,000.

Section 7 adds bus shelters and rail platforms to the list of state-owned and -operated or state-leased and -operated property where smoking is prohibited and results in a potential minimal revenue gain from fines. In FY 17, the current statute prohibiting smoking in various locations resulted in 6 fines totaling \$472.

Section 11 creates a new offense of aggravated assault on specified groups of victims. To the extent that offenders are prosecuted for

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expanded offenses under this bill, potential costs for incarceration or probation supervision in the community, or judicial revenue would result. On average, the marginal cost to the state for incarcerating an offender for the year is \$1,900 while the average marginal cost for supervision in the community is less than \$700 each year.

It should be noted that the other sections of the bill are technical or do not have a fiscal impact.

*The preceding Fiscal Impact statement is prepared for the benefit of the members of the General Assembly, solely for the purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

Sources: Department of Transportation License, Permits and Fees