

# OFFICE OF FISCAL ANALYSIS

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SB-1230

AN ACT EXPANDING ACCESS TO PUBLIC DEFENDER SERVICES.

## **OFA Fiscal Note**

### **State Impact:**

| Agency Affected                                  | Fund-Effect | FY 24 \$  | FY 25 \$  |
|--|-------------|-----------|-----------|
| Pub. Defender Serv. Com.                         | GF - Cost   | 5,358,000 | 6,978,000 |
| State Comptroller - Fringe Benefits <sup>1</sup> | GF - Cost   | 1,120,000 | 1,500,000 |

Note: GF=General Fund

**Municipal Impact:** None

### **Explanation**

The bill allows the Public Defender Services Commission (PDS) to establish eligibility guidelines annually up to 250% or less of the Federal Poverty Limit (FPL) which results in an estimated cost \$5.3 million in FY 24 to PDS<sup>2</sup> and \$1.2 million in FY 24 to the State Comptroller for fringe. In FY 25, these costs are estimated to be approximately \$7 million for PDS<sup>3</sup> and \$1.1 million to the State Comptroller as this will be the first year of full implementation.

The estimated cost for FY 24 includes salaries for staff to support the increase in clientele as well as other expenses associated with increased staffing including equipment purchases and an increase in payments to Assigned Counsel. The estimate assumes that increasing the threshold

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<sup>1</sup>The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 42.82% of payroll in FY 24.

<sup>2</sup> \$2.6 million in Personal Services for about 51 new staff, \$128,000 in equipment costs, \$130,000 in Other Expenses, and \$2.5 million in Assigned Counsel.

<sup>3</sup> \$3.6 million in Personal Services, \$178,000 in Other Expenses, and \$3.2 million in Assigned Counsel.

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for eligibility will result in approximately 14% more cases.

***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation and the actual number of eligible clients.