



## FISCAL NOTE

### House Bill 358

Committee: Judiciary

Sponsor: Representative Ginny Shaver

Analyst: Peter Grogan

Date: 05/24/2023

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**House Bill 358** as passed the House of Representatives: (1) renames the Marine Police Division to the Marine Patrol Division of the Department of Public Safety; (2) updates current law to incorporate boating violations and reclassifies existing misdemeanor offenses as violations; (3) amends the reporting requirements from 10-days to 24-hours for an individual involved in a boating accident involving death, personal injury, or property damage of \$2,000 or more; (4) removes the requirement for capacity plates for vessels less than 26 feet; (5) amends the length of a vessel from 24 feet to 26 feet, is required to have, and for which the operator is required to wear, a shut-off switch; (6) removes or updates current law to comply with federal law; (7) provides for the administration of a point system to enforce boater safety certification revocations and suspensions; and (8) provides that the district court shall have original jurisdiction over boating violations.

In addition, this bill could increase the administrative obligations of the Alabama Supreme Court to adopt: (1) rules pursuant to its constitutional authority; (2) a schedule of fines for boating violations; and (3) a Uniform Boating Traffic Ticket and Complaint form.

In addition, this bill could increase the obligations of the Alabama Law Enforcement Agency, by an estimated minimum of \$8,000, to update a point system by which a boater safety certificate may be revoked or suspended.

Further, this bill could increase receipts to the State General Fund and county general funds, and other funds to which court costs are deposited; and could increase receipts to the Water Safety Fund from fines, by an undetermined amount, dependent upon the number of violations issued and the penalties imposed. This bill would provide that, in boating violation cases initiated by a county law enforcement officer, half of the current \$49 portion of the docket fee would be



disbursed to the county general fund. Under current law for traffic violations, all of the \$49 fee is deposited into the State General Fund.

Finally, this bill could increase receipts to the State General Fund and municipal general funds from fines; increase receipts to the State General Fund, county general funds, municipal general funds, and other funds to which court costs are deposited; and could increase the obligations of the State General Fund, district attorneys, and local jails by an undetermined amount dependent upon the number of persons charged with and convicted of the offenses provided by this bill and the penalties imposed.