

LEGISLATIVE FISCAL ESTIMATE TO

[First Reprint]
ASSEMBLY, No. 2704

STATE OF NEW JERSEY

DATED: JULY 16, 1997

Assembly Bill No. 2704 (1R) of 1997 amends section 2 of P.L.1993, c.227 (C.26:4-100.13), which established the "Hepatitis Inoculation Fund" in the Department of Health and Senior Services (DHSS) as a source of funding for the provision of hepatitis inoculations to public safety workers. The bill expands the categories of persons eligible for inoculations which are paid for from the Hepatitis Inoculation Fund to include school employees as designated by the Director of the Division of Epidemiology and Communicable Disease Control in DHSS, in order to protect those school employees whose positions may put them at risk of contacting hepatitis. Persons who have medical insurance coverage for the inoculation would not be eligible for reimbursement.

The bill further provides that, beginning on the date of enactment of the bill, 10 percent of the proceeds obtained by the Attorney General from forfeited property pursuant to subsection a. of N.J.S.2C:64-6 shall be deposited into the Hepatitis Inoculation Fund, which is the same percentage amount as was deposited into the fund for the first two years of its existence. Currently, 5 percent of such proceeds are deposited into the Hepatitis Inoculation Fund, as provided in N.J.S.2C:64-6.

The DHSS and the Office of Management and Budget have not provided any fiscal information on this legislation.

The Office of Legislative Services (OLS) notes that this bill will not produce additional costs for the State, but will shift the current use of some of the funds obtained by the State through seizure, forfeiture, or abandonment of property or goods and the proceeds of the sale of any such confiscated property or goods. Currently, such funds are appropriated for law enforcement purposes designated by the Attorney General, except for funds dedicated pursuant to P.L.1993, c.227, the amount deposited into the Hepatitis Inoculation Fund. This bill would allow the Hepatitis Inoculation Fund to receive 10 percent of the proceeds from forfeited property, as opposed to the current 5 percent, which would in effect reduce the amount available for law enforcement purposes by 5 percent.

The DHSS anticipates receiving \$110,000 from this fund in FY 1998; however, this amount may be greater as \$224,000 was collected in FY 1996 and \$165,000 has been collected to date in FY 1997. The Department of Law and Public Safety received approximately \$4 million in FY 1996 from forfeited property proceeds. Assuming that

the amounts received from forfeited property remain relatively constant, DHSS would receive approximately \$220,000 in FY 1998 and in subsequent fiscal years for the Hepatitis Inoculation Fund, based on the amount of receipts currently anticipated by the department, pursuant to this bill. However, the annual amount collected for the fund is somewhat volatile as its funding source does not receive a constant flow of moneys, but is dependent on the amount of proceeds obtained by the State from forfeited property.

The OLS further notes that this bill provides that school employees, as designated by the Director of the Division of Epidemiology and Communicable Disease Control, would be eligible for reimbursement for expenses incurred for the provision of hepatitis inoculations following reimbursement for eligible emergency medical technicians, firefighters, and police officers. Pursuant to current regulations, N.J.A.C.8:57B, monies are distributed from this fund to municipalities in the order of the eligibility schedule, as provided in N.J.S.A.26:4-100.13, until all available funds are distributed. Thus, additional monies deposited into this fund would first complete reimbursement for other eligible public safety workers, as needed, and then provide reimbursement for eligible school employees.

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.