

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5067-01
Bill No.: HB 1256
Subject: Attorneys; Cities, Towns, and Villages; Counties
Type: Original
Date: January 24, 2012

Bill Summary: This proposal removes the provision specifying that the \$4 surcharge assessed in certain criminal cases will not be collected from any person who has pled guilty and paid a fine through the central violations bureau.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Total Estimated Net Effect on FTE	0	0	0

Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Local Government*	\$0	\$0	\$0

*Offsetting income and expenses regarding the Prosecuting Attorneys and Circuit Attorneys Retirement System.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Prosecution Services** state the current proposal would not fiscally impact their agency.

Officials from the **Joint Committee on Public Employee Retirement** assume that the current proposal would not create a substantial proposed change in future plan benefits as defined in Section 105.660(10).

Officials from the **Office of the State Courts Administrator** (CTS) assume that based on data for FY 11, there are approximately 152,997 fine collection center cases on which this \$4.00 surcharge could be applied. CTS anticipates the revenue from a \$4.00 surcharge would be approximately \$611,988 in any given year.

In response to a similar bill from last year, officials from the **Prosecuting Attorneys and Circuit Attorneys Retirement System** stated that based on the number of cases handled by the fine collection center for the fiscal year ending in June 2010, this proposal, if enacted, would increase the annual receipts of the Prosecutors and Circuit Attorneys Retirement System by approximately \$832,000.

<u>FISCAL IMPACT - State Government</u>	FY 2013 (10 Mo.)	FY 2014	FY 2015
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
 <u>FISCAL IMPACT - Local Government</u>	 FY 2013 (10 Mo.)	 FY 2014	 FY 2015
LOCAL GOVERNMENT			
<u>Revenue</u> -Increase in surcharge contribution to Prosecuting Attorneys and Circuit Attorneys Retirement System	\$509,990	\$611,988	\$611,988
<u>Expense</u> - Surcharge contribution to Prosecuting Attorneys and Circuit Attorneys Retirement System	<u>(\$509,990)</u>	<u>(\$611,988)</u>	<u>(\$611,988)</u>
ESTIMATED NET EFFECT ON LOCAL GOVERNMENT	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

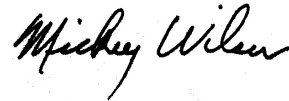
FISCAL DESCRIPTION

Currently, a \$4 surcharge is assessed in all criminal cases including any violation of a county ordinance and any criminal or traffic law including infractions for deposit into the Missouri Prosecuting Attorneys and Circuit Attorneys' Retirement System Fund except under certain circumstances. This bill removes the provision which specifies that no surcharge will be assessed against a person who has pled guilty and paid his or her fine through the central violations bureau and requires this individual to pay the \$4 surcharge.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Joint Committee on Public Retirement
Office of the State Courts Administrator
Office of Prosecution Services
Prosecuting Attorneys and Circuit Attorneys
Retirement System

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Director
January 24, 2012