

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5067-06
Bill No.: HCS for HB 1256
Subject: Attorneys; Cities, Towns and Villages; Counties
Type: Original
Date: March 16, 2012

Bill Summary: This proposal makes multiple changes to judicial procedures.

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
Missouri Office of Prosecution Services Fund	Unknown	Unknown	Unknown
Total Estimated Net Effect on <u>Other</u> State Funds	Unknown	Unknown	Unknown

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 7 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

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the State Treasurer, Department of Revenue, Department of Labor and Industrial Relations, Missouri Department of Conservation, Department of Public Safety - Missouri Highway Patrol, Department of Transportation, Office of the State Auditor, Department of Mental Health, Administrative Hearing Commission, Office of the State Public Defender and Department of Insurance, Financial Institutions and Professional Registration** each assume the current proposal would not fiscally impact their respective agencies.

Officials from the **County of St. Louis** assume the current proposal would not fiscally impact their county.

Officials from the **City of Kansas City** assume the current proposal would not fiscally impact their city.

In response to a previous version of this legislation, officials from the **Jefferson City Police Department** assumed the proposal would not fiscally impact their department.

In response to a previous version, officials from the **Office of the Governor, Attorney General's Office and Department of Social Services** each assumed the proposal would not fiscally impact their respective agencies.

Section 56.807

Officials from the **Office of State Courts Administrator (CTS)** assume this proposal would allow a \$4 surcharge for the Missouri Prosecuting Attorneys and Circuit Attorneys' Retirement System Fund to be assessed and against persons who pled and paid a fine through a fine collection center.

Based on data for FY 11, CTS assumes there are approximately 124,183 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 \$496,732 in any given year.

In response to a similar bill from last year, HB 396, officials from the **Prosecuting Attorneys and Circuit Attorneys Retirement System (PACARS)** assumed that based on the number of cases handled by the fine collection center for the fiscal year ending in June 2010, the proposal, if enacted, would increase the annual receipts of the PACARS by approximately \$832,000.

ASSUMPTION (continued)

Section 488.426

CTS also assumes this proposal would allow the Counties of Clay, Boone, Callaway, Greene, St. Louis and St. Louis City to charge up to a \$20 law library surcharge, the limit is now \$15.

There were 145,704 civil cases filed in these counties in FY 11. CTS anticipates the revenue from the additional \$5.00, to be approximately \$728,520 in any given year, if collections were 100%.

Oversight assumes this proposal is discretionary and would have no local fiscal impact without action by the governing body.

Section 559.100

Officials from the **Office of Prosecution Services (OPS)** assume this proposal would require a \$5.00 surcharge for each crime victim to whom restitution is paid. The estimated minimal annual impact would be \$41,420, however the impact could be greater. OPS attempted to survey all 115 counties as to how many cases in FY 10 that restitution was ordered. It should be noted that restitution did not include cases of bad checks. OPS received responses from 57 counties. Of those counties, there were a total of 8,284 cases in which restitution was ordered. Assuming that the other 58 counties have similar numbers, the fiscal impact could be \$83,565 to \$115,020.

Oversight assumes for fiscal note purposes this legislation would be a positive unknown impact to OPS.

Officials from the **Office of Administration** and **Department of Corrections** did not respond to Oversight's request for fiscal impact.

Officials from the **Cities of Ashland, Belton, Bernie, Bonne Terre, Boonville, California, Cape Girardeau, Clayton, Columbia, Dardenne Prairie, Excelsior Springs, Florissant, Frontenac, Fulton, Gladstone, Grandview, Harrisonville, Independence, Jefferson City, Joplin, Kearney, Kennett, Knob Noster, Ladue, Lake Ozark, Lebanon, Lee Summit, Liberty, Linn, Louisiana, Maryland Heights, Maryville, Mexico, Monett, Neosho, O'Fallon, Pacific, Peculiar, Popular Bluff, Raytown, Republic, Richmond, Rolla, Sedalia, Springfield, St. Charles, St. Joseph, St. Louis, St. Robert, Sugar Creek, Sullivan, Warrensburg, Warrenton, Webb City, Weldon Spring and West Plains** did not respond to Oversight's request for fiscal impact.

ASSUMPTION (continued)

Officials from the **Counties of Andrew, Barry, Bates, Boone, Buchanan, Butler, Callaway, Camden, Cape Girardeau, Carroll, Cass, Clay, Cole, Cooper, DeKalb, Franklin, Greene, Hickory, Holt, Jackson, Jasper, Jefferson, Johnson, Knox, Laclede, Lafayette, Lawrence, Lincoln, Marion, Miller, Moniteau, Monroe, Montgomery, New Madrid, Nodaway, Ozark, Pemiscot, Perry, Phelps, Platte, Pulaski, Scott, St. Charles, St. Francois, Taney, Texas, Warren, and Webster** did not respond to Oversight’s request for fiscal impact.

Officials from the **Boone County Sheriff Department, Buchanan County Sheriff’s Department, Clark County Sheriff’s Department, Columbia Police Department, Independence Police Department, Jackson County Sheriff Department, Kansas City Police Department, Platte County Sheriff’s Department, Springfield Police Department, St. Charles Police Department, St. Joseph Police Department, St. Louis County Police Department, St. Louis County Sheriff Department** and the **St. Louis Metropolitan Police Department** did not respond to Oversight’s request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2013 (10 Mo.)	FY 2014	FY 2015
MISSOURI OFFICE OF PROSECUTION SERVICES FUND			
<u>Income</u> - Surcharge assessed per crime victim to whom restitution is paid.	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
NET ESTIMATED EFFECT ON MISSOURI OFFICE OF PROSECUTION SERVICES FUND	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</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 Prosecution Attorneys and Circuit Attorneys Retirement System	\$413,943	\$496,732	\$493,732
<u>Expense</u> - Surcharge contribution to Prosecution Attorneys and Circuit Attorneys Retirement System	<u>(\$413,943)</u>	<u>(\$496,732)</u>	<u>(\$496,732)</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

This proposal makes multiple changes to judicial procedures.

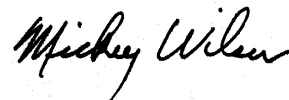
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the State Courts Administrator
Department of Revenue
Department of Social Services
Office of the State Treasurer
Office of the State Public Defender
Department of Mental Health
Office of Prosecution Services
Attorney General's Office
Department of Insurance, Financial Institutions and Professional Registration
Department of Public Safety
Department of Transportation
Missouri Department of Conservation
Administrative Hearing Commission
Department of Labor and Industrial Relations
Office of the Governor
Office of the State Auditor
Prosecuting and Circuit Attorneys Retirement System
City of Kansas City
County of St. Louis
Jefferson City Police Department

NOT RESPONDING

Office of Administration
Department of Corrections
Numerous Counties
Numerous Cities
Numerous Local Law Enforcement Agencies



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Director
March 16, 2012