

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5075-01
Bill No.: HB 1203
Subject: Counties; County Officials; Law Enforcement Officers and Agencies; Prisons and Jails
Type: Original
Date: February 10, 2012

Bill Summary: This proposal allows money from the county law enforcement restitution fund to be used for county inmate work and service programs and limits the amount a county can assess an individual for certain offenses to \$10.

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 4 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 State Courts Administrator (CTS)** assume the proposal allows counties to establish an inmate work and service program. In addition, it would allow the court to order a person to pay up to ten dollars into the county law enforcement restitution fund for various traffic offenses.

CTS states that traffic cases are technically misdemeanors, and if as an alternative to a traffic conviction, a defendant can get a suspended sentence for payment into the county law enforcement fund, the potential volume could be in the hundreds of thousands of cases. If cases that would otherwise have resulted in a conviction are shifted to a suspended imposition or execution of sentence, it is likely to result in the loss of revenue from fines to the schools, crime victims' compensation, law enforcement training, and other earmarked funds.

According to CTS, currently, the total cost for a traffic ticket stands at \$56.50. This proposal would significantly increase the cost of those tickets where the fee was assessed.

In response to similar legislation in 2009, HB 404, officials from the **County of Boone** and **Department of Corrections** assumed there will be no fiscal impact to their agencies.

Oversight assumes this proposal as written is enabling legislation and would require action by the county's governing body or by citizen petition with voter approval before fiscal impact would be realized. Oversight assumes no state or local fiscal impact.

Officials from the **Buchanan County Sheriff, Eureka Sheriff's Department** and **Jackson County Sheriff** did not respond to Oversight's request for fiscal impact.

<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
	<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

The proposed legislation appears to have no fiscal impact.

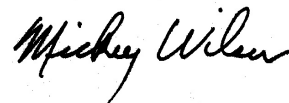
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the State Courts Administrator
County of Boone
Department of Corrections

NOT RESPONDING

Lawrence County
Monroe County
New Madrid County
Buchanan County Sheriff
Eureka Sheriff's Department
Jackson County Sheriff



Mickey Wilson, CPA
Director
February 10, 2012