

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0940H.011  
Bill No.: HB 712  
Subject: Courts; Criminal Procedure; Counties  
Type: Original  
Date: February 1, 2021

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Bill Summary: This proposal prohibits a municipal court from charging a defendant a fee for obtaining a police report or probable cause statement.

**FISCAL SUMMARY**

| <b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>  |                |                |                |
|--|----------------|----------------|----------------|
| <b>FUND AFFECTED</b>                                 | <b>FY 2022</b> | <b>FY 2023</b> | <b>FY 2024</b> |
|  |                |                |                |
| <b>Total Estimated Net Effect on General Revenue</b> | <b>\$0</b>     | <b>\$0</b>     | <b>\$0</b>     |

| <b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>              |                |                |                |
|---|----------------|----------------|----------------|
| <b>FUND AFFECTED</b>  | <b>FY 2022</b> | <b>FY 2023</b> | <b>FY 2024</b> |
|   |                |                |                |
| <b>Total Estimated Net Effect on <u>Other</u> State Funds</b> | <b>\$0</b>     | <b>\$0</b>     | <b>\$0</b>     |

Numbers within parentheses: () indicate costs or losses.

| <b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>                  |                |                |                |
|---|----------------|----------------|----------------|
| <b>FUND AFFECTED</b>  | <b>FY 2022</b> | <b>FY 2023</b> | <b>FY 2024</b> |
|   |                |                |                |
|   |                |                |                |
| <b>Total Estimated Net Effect on <u>All</u> Federal Funds</b> | <b>\$0</b>     | <b>\$0</b>     | <b>\$0</b>     |

| <b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b> |                |                |                |
|---|----------------|----------------|----------------|
| <b>FUND AFFECTED</b>                                      | <b>FY 2022</b> | <b>FY 2023</b> | <b>FY 2024</b> |
|   |                |                |                |
|   |                |                |                |
| <b>Total Estimated Net Effect on FTE</b>                  | <b>0</b>       | <b>0</b>       | <b>0</b>       |

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act.

| <b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b> |                |                |                |
|--|----------------|----------------|----------------|
| <b>FUND AFFECTED</b>                       | <b>FY 2022</b> | <b>FY 2023</b> | <b>FY 2024</b> |
|  |                |                |                |
| <b>Local Government</b>                    | <b>\$0</b>     | <b>\$0</b>     | <b>\$0</b>     |

**FISCAL ANALYSIS**

**ASSUMPTION**

Officials from the **City of Corder**, the **City of O’Fallon**, the **City of Southwest**, the **City of Springfield**, **St. Louis City** and the **City of Tipton** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Officials from **Kansas City** assume this proposal would have a negative fiscal impact upon the city prosecutor’s office because of the expenditures in staffing to fulfill the requirements of the legislation.

**Oversight** assumes local prosecutor’s offices are provided with core funding to handle a certain amount of activity each year. Oversight assumes the local prosecutor’s offices could absorb the costs related to this proposal. If multiple bills pass which require additional staffing and duties at substantial costs, the local prosecutor’s offices could request funding through the appropriation process. Therefore, Oversight will reflect a zero fiscal impact to local prosecutor’s offices.

Officials from the **Office of the State Courts Administrator** and the **Missouri Office of Prosecution Services** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

| <u>FISCAL IMPACT –</u><br><u>State Government</u> | FY 2022<br>(10 Mo.) | FY 2023           | FY 2024           |
|---|---------------------|-------------------|-------------------|
|   |                     |                   |                   |
|   | <b><u>\$0</u></b>   | <b><u>\$0</u></b> | <b><u>\$0</u></b> |

| <u>FISCAL IMPACT –</u><br><u>Local Government</u> | FY 2022<br>(10 Mo.) | FY 2023           | FY 2024           |
|---|---------------------|-------------------|-------------------|
|   |                     |                   |                   |
|   | <b><u>\$0</u></b>   | <b><u>\$0</u></b> | <b><u>\$0</u></b> |

**FISCAL IMPACT – Small Business**

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

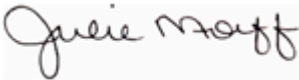
FISCAL DESCRIPTION

This bill specifies that in a proceeding for a municipal ordinance violation or any other proceeding before a municipal court, a defendant must not be charged any fee for obtaining a police report or probable cause statement. Such police report or probable cause statement must be provided by the prosecutor upon written request for discovery by the defendant.

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

Kansas City  
Office of the State Courts Administrator  
Missouri Office of Prosecution Services  
City of Corder  
City of O'Fallon  
City of Southwest  
City of Springfield  
St. Louis City  
City of Tipton



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February 1, 2021



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February 1, 2021