

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0511-01
Bill No.: SB 160
Subject: Crimes and Punishment; Public Buildings
Type: Original
Date: January 31, 2005

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
General	(Less than \$100,000)	(Less than \$100,000)	(Less than \$100,000)
Total Estimated Net Effect on General Revenue Fund	(Less than \$100,000)	(Less than \$100,000)	(Less than \$100,000)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
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 2006	FY 2007	FY 2008
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator**, the **Department of Social Services**, the **Department of Health and Senior Services**, the **State Public Defender**, the **Office of Prosecution Services** and the **Department of Economic Development - Division of Professional Registration** assume this proposal would not fiscally impact their agencies.

Officials from the **Department of Corrections (DOC)** state this proposal prohibits individuals from engaging in or using public funds and facilities for human cloning. DOC stated penalty provisions are for a class B felony.

The DOC cannot predict the number of new commitments which may result from the creation of the offenses(s) outlined in this proposal. An increase in commitments depends on the utilization by prosecutors and the actual sentences imposed by the court.

If additional persons are sentenced to the custody of the DOC due to the provisions of this proposal, the DOC will incur a corresponding increase in operational cost either through incarceration (FY 04 average of \$38.37 per inmate, per day or an annual cost of \$14,005 per inmate) or through supervision provided by the Board of Probation and Parole (FY 03 average of

ASSUMPTION (continued)

\$3.15 per offender, per day or an annual cost of \$1,150 per offender).

DOC states supervision by the DOC through probation or incarceration would result in additional unknown costs to the DOC. Eight persons would have to be incarcerated per fiscal year to exceed \$100,000 annually. Due to the narrow scope of this new crime, DOC assumes the impact would be less than \$100,000 per year.

Officials from the **University of Missouri** state they are unable to determine the cost of this proposal.

Officials from the **Coordinating Board of Higher Education (CBH)** state this proposal would not fiscally impact their agency.

<u>FISCAL IMPACT - State Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
GENERAL REVENUE			
<u>Costs - Department of Corrections</u>			
Incarceration/probation costs	<u>(Less than \$100,000)</u>	<u>(Less than \$100,000)</u>	<u>(Less than \$100,000)</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>(Less than \$100,000)</u>	<u>(Less than \$100,000)</u>	<u>(Less than \$100,000)</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
	<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.

DESCRIPTION

This proposal prohibits human cloning. "Cloning a human being" is defined as the creation of a human being by any means other than by the fertilization of an oocyte of a human female by a sperm of a human male.

This proposal prohibits any individual from knowingly cloning, attempting to clone a human being, or participating in cloning a human being. This proposal also prohibits any person from knowingly using public funds or public facilities to clone a human being.

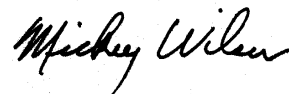
Under this proposal, no public employee shall knowingly allow any person to clone a human being while making use of public funds or facilities.

A violation of this section is a Class B felony.

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 State Courts Administrator
Department of Social Services
Department of Economic Development -
Division of Professional Registration
Department of Health and Senior Services
Office of Prosecution Services
State Public Defender
Department of Corrections
Coordinating Board of Higher Education
University of Missouri



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Director
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