

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3411-02
Bill No.: SB 753
Subject: Crimes and Punishment; Education, Elementary and Secondary
Type: Original
Date: January 24, 2006

FISCAL SUMMARY

| ESTIMATED NET EFFECT ON GENERAL REVENUE FUND | | | |
|-----------------------------------------------------------|------------|----------------|----------------|
| FUND AFFECTED | FY 2007 | FY 2008 | FY 2009 |
| General Revenue | \$0 | Unknown | Unknown |
| | | | |
| Total Estimated Net Effect on General Revenue Fund | \$0 | Unknown | Unknown |

| ESTIMATED NET EFFECT ON OTHER STATE FUNDS | | | |
|----------------------------------------------------------------|------------|------------|------------|
| FUND AFFECTED | FY 2007 | FY 2008 | FY 2009 |
| State School Moneys Fund* | \$0 | \$0 | \$0 |
| | | | |
| Total Estimated Net Effect on <u>Other</u> State Funds* | \$0 | \$0 | \$0 |

*** Offsetting savings and losses to State School Moneys Fund in FY 2007 and FY 2009**

Numbers within parentheses: () indicate costs or losses.
 This fiscal note contains 6 pages.

| ESTIMATED NET EFFECT ON FEDERAL FUNDS | | | |
|---------------------------------------------------------------|----------------|----------------|----------------|
| FUND AFFECTED | FY 2007 | FY 2008 | FY 2009 |
| | | | |
| Total Estimated Net Effect on <u>All</u> Federal Funds | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON LOCAL FUNDS | | | |
|--------------------------------------------|----------------|----------------|----------------|
| FUND AFFECTED | FY 2007 | FY 2008 | FY 2009 |
| Local Government* | Unknown | \$0 | \$0 |

***Local School Districts would have offsetting income from increased fines and losses from reduced distribution from State School Moneys Fund in FY 2008 and FY 2009.**

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator** assume there will be no fiscal impact on the Courts.

Officials from the **Department of Public Safety - Office of the Director** and **Missouri State Highway Patrol** state this proposal will have no fiscal impact on their respective agencies.

Officials from the **Office of State Public Defender** state this proposal will have no fiscal impact on their agency.

Officials from the **Office of Prosecution Services** state this proposal will not have a significant direct fiscal impact on county prosecutors, although it may lead to an increase in prosecutions/caseloads.

According to officials from the **Department of Corrections (DOC)**, the DOC cannot predict the number of new commitments which may result from the creation of the offense(s) outlined in this proposal. An increase in commitments depends on the utilization by prosecutors and the actual

ASSUMPTION (continued)

sentences imposed by the court.

If additional persons are sentenced to the custody of the DOC due to the provisions of this legislation, the DOC will incur a corresponding increase in operational cost through supervision provided by the Board of Probation and Parole (FY03 average of \$3.15 per offender, per day or an annual cost of \$1,150 per offender).

In summary, supervision by the DOC through probation or incarceration would result in some additional costs, but it is assumed the impact would be \$0 or a minimal amount that could be absorbed within existing resources.

According to officials from the **Department of Elementary and Secondary Education (DESE)**, there is no state cost to the foundation formula associated with this proposal. Should the new crimes and amendments to current law result in additional fines or penalties, DESE cannot know how much additional money might be collected by local governments to distribute to schools. To the extent fine revenues exceed 2004-2005 collections, any increase in this money distributed to schools increases the deduction in the foundation formula the following year. Therefore the affected districts will see an equal decrease in the amount of funding received through the formula the following year; unless the affected districts are hold-harmless, in which case the districts will not see a decrease in the amount of funding received through the formula (any increase in fine money distributed to the hold-harmless districts will simply be additional money). An increase in the deduction (all other factors remaining constant) reduces the cost to the state of funding the formula.

Officials from the following local law enforcement agencies indicated there would be no fiscal impact to their local agencies: **Springfield Police Department, St Louis Metropolitan Police Department, Boone County Sheriff's Department.**

Officials from the following school districts indicated there is no apparent direct fiscal impact from this proposed legislation: **Columbia, Kansas City, Poplar Bluff.**

| <u>FISCAL IMPACT - State Government</u> | FY 2007 (10 Mo.) | FY 2008 | FY 2009 |
|-----------------------------------------------------------------------------------------|-----------------------|-----------------------|-----------------------|
| GENERAL REVENUE FUND | | | |
| <u>Savings</u> – Reduced appropriations to State School Moneys Fund | \$0 | Unknown | Unknown |
| ESTIMATED NET EFFECT ON GENERAL REVENUE FUND | <u>\$0</u> | <u>Unknown</u> | <u>Unknown</u> |
| STATE SCHOOL MONEYS FUND | | | |
| <u>Savings</u> – Reduced distributions to local school districts | \$0 | Unknown | Unknown |
| <u>Losses</u> – Reduced appropriations from General Revenue Fund | <u>\$0</u> | <u>(Unknown)</u> | <u>(Unknown)</u> |
| ESTIMATED NET EFFECT ON STATE SCHOOL MONEYS FUND | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |
| | | | |
| <u>FISCAL IMPACT - Local Government</u> | FY 2007 (10 Mo.) | FY 2008 | FY 2009 |
| SCHOOL DISTRICTS | | | |
| <u>Revenues</u> – School Districts Income from fines | Unknown | Unknown | Unknown |
| <u>Losses</u> – School Districts Reduced distributions from State School Moneys Fund | <u>\$0</u> | <u>(Unknown)</u> | <u>(Unknown)</u> |
| ESTIMATED NET EFFECT ON SCHOOL DISTRICTS | <u>Unknown</u> | <u>\$0</u> | <u>\$0</u> |
| | | | |
| <u>FISCAL IMPACT - Small Business</u> | | | |

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

DESCRIPTION

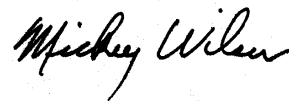
This proposal prohibits sexual offenders from entering elementary or secondary school property without the consent of the school's principal or head administrator if the victim of the crime for which the person must register was less than 17 years of age at the time of the offense. These requirements apply at both public and private schools. Such offenders are also prohibited from attending officially sanctioned school activities or events without consent of the school principal or head administrator.

Any sexual offender who violates these provisions shall be guilty of a Class A misdemeanor.

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 Corrections
Department of Public Safety
 Office of Director
 Missouri State Highway Patrol
Office of the State Public Defender
Office of Prosecution Services
Department of Elementary and Secondary Education
Local Law Enforcement
 Springfield Police Department
 Saint Louis Metro Police Department
 Boone County Sheriff's Department
School Districts
 Columbia
 Kansas City
 Poplar Bluff



Mickey Wilson, CPA

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