

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3445-05
Bill No.: SB 1025
Subject: Sheriffs: Compensation, Deputies
Type: Original
Date: March 6, 2006

FISCAL SUMMARY

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

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Public Safety Enhancement	\$0	\$0	\$0
Missouri Sheriff Methamphetamine Relief Taskforce	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
Total Estimated Net Effect on <u>Other</u> State Funds	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 8 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	Unknown	Unknown

FISCAL ANALYSIS

ASSUMPTION

Officials of the **Department of Public Safety** assume if they are to administer the Public Safety Enhancement Fund they would need the following additional staff, expense, and equipment. Officials assume costs would come from the State General Revenue Fund. Officials estimate that to administer the fund, they would need (1) Public Safety Rep II; (1) Accountant II; and would add (2) FTE, changes pay base for (2) existing individuals (.5 FTE each) from Federal funding to this program's funding. Officials estimate they would need equipment such as desks, chairs, file cabinets etc. and there would be expenses for communications, office supplies, postage/printing. Officials estimate costs in FY 07 at \$153,262; FY 08 at \$186,561; and in FY 09 at \$191,278.

Department of Public Safety officials assume costs would be paid from the State's General Revenue Fund.

Oversight assumes, based on language in this legislation, which states that costs of administration are to be paid by moneys in the Public Safety Enhancement Fund providing there is a sufficient amount of money in the fund. **Oversight** will show costs coming from the Public Safety Enhancement Fund rather than from the State's General Revenue Fund.

ASSUMPTION (continued)

Officials of the **Office of the State Treasurer** assume their would be no fiscal impact to their office.

Officials of the **Office of State Courts Administrator** stated the proposed legislation would establish a minimum salary for Deputy Sheriffs and create the "Public Safety Enhancement Fund." Sheriffs are to receive an additional \$20.00 for service of any summons, writ, or other court order, regardless of whether a private entity performs the service on behalf of the sheriff. These moneys are to be deposited into the fund.

Because the bill is unclear as to who exactly is to collect this money, we are unable to provide an estimate of the cost involved. If, as it appears may be the case, the clerk is to collect this money, there would be a significant impact on the workload of the courts. Any substantial increase in workload will be reflected in future budget requests.

Oversight, because of uncertainty, will show fiscal impact to the Office of State Courts Administrator as \$0 or Unknown.

Officials of the **Joint Committee on Public Employee Retirement** stated that this legislation would not create a "substantial proposed change" in future plan benefits as defined in Section 105.660(5). Therefore, an actuarial cost statement would not be required.

Officials of **Hickory County** assume this proposal would have a positive affect to their county. Officials estimate this that their county would receive in FY 2007 \$10,000 and \$15,000 in FY 2008. Officials assume this money would be earmarked for Deputy Sheriff salaries.

Officials of the **Boone County Sheriff's Office** assume no fiscal impact.

Oversight sent response requests to the Sheriffs of Greene, Clark, St. Louis, and other counties with no response.

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
GENERAL REVENUE FUND			
<u>Cost</u> to Office of State Court Administrator			
For Circuit Clerks additional collection services	<u>\$0 or</u> (Unknown)	<u>\$0 or</u> (Unknown)	<u>\$0 or</u> (Unknown)
ESTIMATED NET EFFECT TO STATE GENERAL REVENUE FUND	<u>\$0 or</u> (Unknown)	<u>\$0 or</u> (Unknown)	<u>\$0 or</u> (Unknown)
PUBLIC SAFETY ENHANCEMENT FUND			
<u>Income</u> to Public Safety Enhancement Fund			
From Sheriff's service fee of \$20.	Unknown	Unknown	Unknown
<u>Cost</u> to Public Safety Enhancement Fund From:			
10% of total to Sheriff's Retirement Fund	(Unknown)	(Unknown)	(Unknown)
Payment to local Sheriffs for deputy's salary adjustment.	(Unknown)	(Unknown)	(Unknown)
<u>Transfer</u> of annual fund remaining balance to MoSMART Fund *	<u>\$0 or</u> (Unknown)	<u>\$0 or</u> (Unknown)	<u>\$0 or</u> (Unknown)
<u>Costs</u> of Administration of Fund to Department of Public Safety:			
Personal Services (2 FTE and (2) .50 FTE)	(\$100,189)	(\$123,232)	(\$126,313)
Fringe Benefits	(\$42,741)	(\$52,571)	(\$53,885)
Equipment	(\$9,774)	(\$10,068)	(\$10,370)
<u>Expense</u>	<u>(\$558)</u>	<u>(\$690)</u>	<u>(\$710)</u>
<u>Sub Total</u> Costs to Department of Public Safety	<u>(\$153,262)</u>	<u>(\$186,561)</u>	<u>(\$191,278)</u>

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
ESTIMATED NET EFFECT TO PUBLIC SAFETY ENHANCEMENT FUND *	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

**MISSOURI SHERIFF
 METHAMPHETAMINE RELIEF
 TASKFORCE FUND (MoSMART) ***

<u>Potential Income</u> to MoSMART FUND			
From transfer of remaining balance of funds in Public Safety Enhancement Fund	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>
ESTIMATED NET EFFECT TO MoSMART FUND *	<u><u>\$0 or Unknown</u></u>	<u><u>\$0 or Unknown</u></u>	<u><u>\$0 or Unknown</u></u>

*** Oversight assumes that the annual net effect to the Public Safety Enhancement Fund will always be \$0 because annual remaining balances in the fund are to be transferred to the MoSMART Fund.**

<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
COUNTIES			
<u>Income</u> to County Treasurer			
From Sheriff's new \$20 service fee	Unknown	Unknown	Unknown
<u>Transfer of Income</u> by County Treasurer			
To State Treasurer to Public Safety Enhancement Fund	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT TO COUNTIES	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
COUNTY GENERAL REVENUE FUND			
<u>Income</u> to County General Revenue Fund From earmarked money for Deputy Sheriff salary adjustment	Unknown	Unknown	Unknown
<u>Cost</u> to County General Revenue Fund From earmarked money for Deputy Sheriff salary adjustment.	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT TO COUNTY GENERAL REVENUE FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
SHERIFF'S RETIREMENT FUND			
<u>Income</u> to Sheriff's Retirement Fund From 10% of fee money in Public Safety Enhancement Fund	Unknown	Unknown	Unknown
ESTIMATED NET EFFECT TO SHERIFF'S RETIREMENT FUND	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
ESTIMATED NET EFFECT TO LOCAL GOVERNMENT	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>

FISCAL IMPACT - Small Business

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

DESCRIPTION

This act requires Deputy Sheriffs to receive annual compensation of not less than \$26,000. Any amount received above \$26,000 shall be determined by the Sheriff.

The Sheriff shall receive \$20 for service of any summons, writ, or other order for the court, in addition to the \$20 charge for service that he or she currently receives. The sheriff shall receive the additional money regardless of whether a private entity performs the service on behalf of the Sheriff. The money will be collected by the County Treasurer and made payable to the State Treasurer.

This act creates the "Public Safety Enhancement Fund" and the State Treasurer would deposit the moneys into this fund. The fund will be administered by the Department of Public Safety. Ten percent of the money in the fund would be annually deposited into the Sheriffs' Retirement Fund. The balance of the fund would be appropriated annually to counties on a per capita basis to be used only to compensate commissioned Deputy Sheriffs and provide funding for related costs resulting from the minimum compensation established for Deputy Sheriffs. Such money would only be used to supplement the current amount of funding that the county provides, as of August 28, 2006, or a higher amount if the County Commission chooses to provide such amount, to compensate Deputy Sheriffs. The county would provide an equal amount of funding from the general revenue fund to compensate each additional Deputy Sheriff hired after August 28, 2006, as is received for each current Deputy Sheriff. If the funding is not provided, the Sheriff would not be permitted to use moneys from the fund to compensate any additional Deputy Sheriff.

Less any administrative costs, the moneys deposited into the fund would be used only for the purposes outlined. If any moneys remain in the fund after paying such compensation and costs, the department would deposit and credit annually the remaining balance to the MoSMART fund. The money remaining in the fund would not revert to the credit of the state general revenue fund.

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

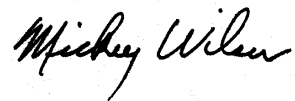
SOURCES OF INFORMATION

Office of the State Treasurer
Office of State Courts Administrator
Department of Public Safety
Joint Committee on Public Employee Retirement
Hickory County Clerk
Boone County Sheriff

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NOT RESPONDING

Oversight sent response requests to the Sheriffs of Greene, Clark, St. Louis, and other counties with no response.



Mickey Wilson, CPA
Director
March 6, 2006