

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3781-02
Bill No.: HCS for SB 770
Subject: Criminal Procedure; County Government; Courts
Type: Original
Date: May 3, 2006

FISCAL SUMMARY

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

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
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 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	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator (CTS)** assume the proposed legislation would allow the court to order a person to pay into the county law enforcement restitution fund for a moving violation.

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 crime reduction fund, the potential volume could be in the 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.

Currently, the total cost for a traffic ticket stands at \$54.50. This proposal would increase significantly the cost of those tickets where the fee was assessed.

In response to a previous version of the proposal (SB 770, LR # 3781-01), officials from **Greene County** assumed the bill would have a positive impact if Greene County were to implement a restitution fund, but as of now, Greene County assumes no impact.

ASSUMPTION (continued)

Oversight assumes the legislation is permissive, and would allow the courts in counties that have established a county law enforcement restitution fund to assess a charge of up to \$100 for moving violations. Oversight assumes no fiscal impact because the language is permissive.

Officials from Boone County, Butler County, Jackson County, and St. Louis County did not respond to Oversight's request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<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

Under the proposed legislation, a person may be ordered by the court to pay into the county law enforcement restitution fund for a moving violation; however, the amount ordered cannot exceed \$100. The citizens appointed to the board of trustees supervising the county law enforcement restitution fund shall not be current or former county elected officials or current or former employees of the office of the county commissioners. Any person appointed to the board of trustees shall serve a term of three years and shall not serve more than two terms.

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

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SOURCES OF INFORMATION

Office of State Courts Administrator
Greene County

NOT RESPONDING

Boone County
Butler County
Jackson County
St. Louis County



Mickey Wilson, CPA
Director
May 3, 2006