

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5155-01
Bill No.: SB 1077
Subject: Elections: Petitions, Penalties
Type: Original
Date: March 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 of the **Office of the Secretary of State - Elections Division** assume no fiscal impact to their office.

Officials of the **Office of State Court Administrator** stated there would be no fiscal impact on the Courts.

Officials of the **Department of Corrections** stated they 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 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 either through incarceration (FY05 average of \$39.13 per inmate, per day or an annual cost of \$14,282 per inmate) or 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).

ASSUMPTION (continued)

The following factors contribute to DOC's minimal assumption:

DOC assumes the narrow scope of the crime will not encompass a large number of offenders

The low felony status of the crime enhances the possibility of plea-bargaining or imposition of a probation sentence

The probability exists that offenders would be charged with a similar but more serious offense or that sentences may run concurrent to one another

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.

Officials of the **Office of the Attorney General** did not respond. **Oversight** assumes any cost associated with this proposal would be absorbed with existing resources.

<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 current law, a person who is convicted of signing any name other than their own on an initiative or referendum petition is guilty of a Class A misdemeanor punishable by imprisonment not to exceed one year or up to a \$10,000 fine, or both.

DESCRIPTION (continued)

Under this act, a person who commits such an act is guilty of a felony punishable by imprisonment up to five years or a \$2,500 fine, or both.

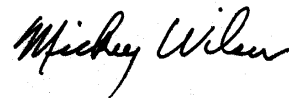
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the Secretary of State
Office of State Courts Administrator
Department of Corrections

NOT RESPONDING

Office of the Attorney General
Office of Prosecutor Services
State Public Defender



Mickey Wilson, CPA
Director
March 3, 2006