

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5454-01
Bill No.: SB 1198
Subject: Crimes and Punishment; Fire Protection; Public Safety Department
Type: Original
Date: March 10, 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 the State Courts Administrator** assume the proposal will not fiscally impact the courts.

Officials from the **Office of the Governor** as well as the **Department of Public Safety - Director's Office** and the **Division of Fire Safety** each assume the proposal will not fiscally impact their respective agencies.

Officials from the **Office of Prosecution Services** assume the proposal will not have a significant direct fiscal impact on county prosecutors.

Officials from the **Department of Corrections Currently (DOC)**, state currently, 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 through supervision

ASSUMPTION (continued)

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.

Officials from the **Office of the State Public Defender** did not respond to our request for fiscal impact. **Oversight** will assume the SPD will not be fiscally impacted from the proposal.

Oversight assumes there could be an indirect fiscal benefit to political subdivisions and volunteer fire protection associations as a result of this proposal, since they can seek to recover reasonable costs incurred in responding to a fire caused by the individuals violating this proposal. However, Oversight will not reflect this potential indirect benefit in the fiscal note.

<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

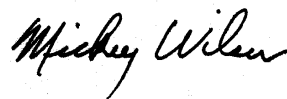
This proposal makes it illegal to set any fire in an area that has been proclaimed, by executive order, to be in extraordinary danger from fire. Anyone violating the provisions of the act shall be guilty of a Class A misdemeanor. The act also allows in a separate cause of action, political subdivisions to seek recovery of reasonable costs incurred when fighting any fire set by an individual violating the provisions of the act.

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

Department of Public Safety
Office of the Governor
Office of the State Courts Administrator
Office of Prosecution Services
Department of Corrections

NOT RESPONDING: Office of the State Public Defender



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Director
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