

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0661-03
Bill No.: HCS for HB 583
Subject: Courts; Law Enforcement Officers and Agencies
Type: Original
Date: March 27, 2007

Bill Summary: The proposal requires circuit clerks to notify the petitioner for an ex parte order of protection when the order has been served on the respondent. The proposal also requires local law enforcement agencies to track any attempted service and make a good faith effort to notify the petitioner when no more service attempts are planned.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Local Government	(Unknown)	(Unknown)	(Unknown)

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Social Services, Department of Public Safety – Missouri State Highway Patrol**, and the – **Director’s Office** assume the proposal would have no fiscal impact on their agencies.

Officials from the **Office of State Courts Administrator (CTS)** assume the proposed legislation requires circuit clerks to provide notification information to individuals petitioning for ex parte orders of protection.

CTS states the meaning of the legislation is unclear in regard to the “information” to be provided to the petitioner. CTS assumes the “information” will be provided to the courts for distribution. If this is the case, there will be no cost to the courts. However, if the assumption is incorrect, there will be printing costs for the counties.

Officials from the **Boone County Sheriff’s Department (BCSD)** assume their agency would experience increased costs as a result of the provisions in the proposal. In 2005, BCSD served nearly 1,300 orders of protection. If accurate contact information was provided and contact was made on the first attempt, assuming a minimum of two minutes per call, officials estimate 44 hours would be required. Officials estimate the cost to be \$770 per year (44 hours x \$17.69/hour). Officials assume multiple attempts will have to be made, costing more time and money.

Oversight assumes sheriff’s departments could incur additional costs as a result of the proposal. Oversight assumes the costs would depend on the number of orders of protection for which no more service attempts will be planned. Therefore, Oversight assumes the local cost to be Unknown.

Officials from the Clark County Sheriff’s Department, Greene County Sheriff’s Department, Jackson County Sheriff’s Department, St. Louis County Sheriff’s Department, Jackson County Circuit Clerk, Phelps County Circuit Clerk, and St. Louis City Circuit Clerk did not respond to Oversight’s request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2008 (10 Mo.)	FY 2009	FY 2010
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2008 (10 Mo.)	FY 2009	FY 2010
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POLITICAL SUBDIVISIONS

<u>Costs – Sheriff’s Departments</u>			
Petitioner notifications	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>

ESTIMATED NET EFFECT ON POLITICAL SUBDIVISIONS	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

The proposed legislation requires circuit clerks to notify every petitioner who provides his or her telephone number that an ex parte order of protection has been served on the respondent. The proposal requires local law enforcement agencies to track any attempted service and make a good faith effort to notify the petitioner when no more service attempts are planned.

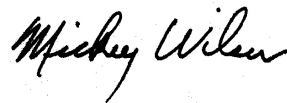
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of State Courts Administrator
Department of Social Services
Department of Public Safety
 – Missouri State Highway Patrol
 – Director's Office
Boone County Sheriff's Department

NOT RESPONDING

**Clark County Sheriff's Department
Greene County Sheriff's Department
Jackson County Sheriff's Department
St. Louis County Sheriff's Department
Jackson County Circuit Clerk
Phelps County Circuit Clerk
St. Louis City Circuit Clerk**

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Director
March 27, 2007