

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1106-04
Bill No.: SCS for SBs 555 & 38
Subject: Alcohol
Type: Original
Date: March 30, 2007

Bill Summary: This proposal prohibits the use or possession of alcoholic beverage vaporizers and modifies provisions relating to underage drinking.

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	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Revenue** state the proposal will not have an impact on their agency; however, it could have an impact on how the data is stored on the driver record. There may be minimal programming required by IT that could be absorbed.

Officials from the **Office of the State Courts Administrator (CTS)** state the proposed legislation would require court clerks to forward a copy of the judgment and date of birth of all persons convicted under section 311.325, RSMo, to the Missouri Highway Patrol within 20 days of the judgment.

In FY 2006, approximately 5,126 charges were filed under this section. If a separate electronic reporting system is required, additional funds would be needed to develop and maintain the system. Depending on how the legislation is implemented, there may be a cost, but there is no way to quantify the cost at this time.

There may be an increase in the workload of the courts. Any significant increase will be reflected in future budget requests.

Oversight assumes a separate electronic reporting system will not be required for this changes in this proposal, therefore, Oversight assumes CTS will not incur a fiscal impact.

Officials from the **Department of Elementary and Secondary Education (DESE)** state there is no state cost to the foundation formula associated with this proposal. Should the new crimes and amendments to current law result in additional fines or penalties, DESE cannot know how much additional money might be collected by local governments or the DOR to distribute to schools. To the extent fine revenues exceed 2004-2005 collections, any increase in this money distributed to schools increases the deduction in the foundation formula the following year. Therefore the affected districts will see an equal decrease in the amount of funding received through the formula the following year; unless the affected districts are hold-harmless, in which case the districts will not see a decrease in the amount of funding received through the formula (any increase in fine money distributed to the hold-harmless districts will simply be additional money). An increase in the deduction (all other factors remaining constant) reduces the cost to the state of funding the formula.

Oversight assumes the proposal would not generate additional fine or penalty revenue for the local school districts.

ASSUMPTION (continued)

Officials from the **Department of Health and Senior Services, Department of Higher Education** and the **Department of Public Safety - Director's Office, Highway Patrol** and the **Alcohol and Tobacco Control Division** each assume the proposal would not fiscally impact their respective agencies.

In response to SB 38 from this year, officials from the **Office of Prosecution Services** assumed the proposal would not have a significant direct fiscal impact on county prosecutors or the Office of Prosecution Services.

Officials from the **Office of the State Public Defender (SPD)** assume this new crime will require more SPD resources. While the number of new cases (or cases with increased penalties) may be too few or uncertain to request additional appropriations for this specific bill, the SPD will continue to request sufficient appropriations to provide competent and effective representation in all its cases.

Oversight assumes the **Office of the State Public Defender (SPD)** could absorb the costs of the proposed legislation within existing resources. Oversight assumes any significant increase in the workload of the SPD would be reflected in future budget requests.

Oversight assumes the state could realize a savings in the A+ Schools Program if a participant receives three minor in possession violations; however, Oversight assumes this would occur only sporadically. Therefore, Oversight assumes only a minimal savings would be realized by the state and have not reflected the minimal savings on the fiscal note.

<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
	<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.

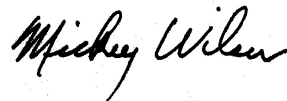
FISCAL DESCRIPTION

The proposed legislation appears to have no fiscal impact.

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 Health and Senior Services
Department of Elementary and Secondary Education
Department of Higher Education
Office of the State Courts Administrator
Department of Public Safety
Department of Revenue
Office of Prosecution Services
Office of the State Public Defender



Mickey Wilson, CPA
Director
March 30, 2007