

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1578-01
Bill No.: SB 338
Subject: Courts; State Attorney General; Attorneys; State Employees
Type: Original
Date: January 31, 2007

Bill Summary: The proposal provides that no attorney shall be prohibited from providing uncompensated legal services for needy persons.

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 6 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 Agriculture, Coordinating Board for Higher Education, Office of Administration – Administrative Hearing Commission, – Division of Personnel, – Division of Budget and Planning, Department of Economic Development, Department of Elementary and Secondary Education, Department of Transportation, Department of Insurance, Financial Institutions, and Professional Registration, Department of Mental Health, Department of Natural Resources, Department of Corrections, Department of Health and Senior Services, Department of Labor and Industrial Relations, Department of Revenue, Department of Social Services, Department of Public Safety – State Emergency Management Agency, – Capitol Police, – Division of Alcohol and Tobacco Control, – Missouri Veterans Commission, – Division of Fire Safety, – Director’s Office, – Missouri State Highway Patrol, Missouri Consolidated Health Care Plan, Missouri Ethics Commission, Missouri House of Representatives, Office of the Lieutenant Governor, State Auditor’s Office, Missouri Senate, Office of the Secretary of State, Office of the State Public Defender, State Treasurer’s Office, University of Central Missouri, Kansas City Metropolitan Community College, Linn State Technical College, Lincoln University, Missouri State University, Truman State University, and the University of Missouri** assume the proposal would have no fiscal impact on their agencies.

Officials from the **Office of the Attorney General (AGO)** state they currently have a policy in place under which Assistant Attorneys General (AAG) may, after being granted permission, practice law outside of their regular employment. Because of the unusually high likelihood of legal conflicts of interest inherent in working as an AAG, individual permission is required for each case. AGO assumes this proposal would have no impact on this internal policy. To the extent this proposal would increase activity by public employees seeking to be insured by the legal expense fund, AGO assumes any costs could be absorbed.

Officials from the **Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on the courts.

Officials from the **Department of Conservation (MDC)** assume the proposal would have fiscal impact on MDC funds since it would allow attorneys employed by the state to be appointed to pro bono appointments. The exact amount of impact is unknown but could be significant.

Oversight assumes, based on responses received from other state agencies, the Department of Conservation could absorb any costs within existing resources.

ASSUMPTION (continued)

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

<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

Office of the Attorney General
Department of Agriculture
Coordinating Board for Higher Education
Office of Administration
– Administrative Hearing Commission
– Division of Personnel
– Division of Budget and Planning

SOURCES OF INFORMATION (continued)

Office of State Courts Administrator
Department of Economic Development
Department of Elementary and Secondary Education
Department of Transportation
Department of Insurance, Financial Institutions, and Professional Registration
Department of Mental Health
Department of Natural Resources
Department of Corrections
Department of Health and Senior Services
Department of Labor and Industrial Relations
Department of Revenue
Department of Social Services
Department of Public Safety

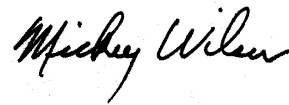
- State Emergency Management Agency
- Capitol Police
- Division of Alcohol and Tobacco Control
- Missouri Veterans Commission
- Division of Fire Safety
- Director’s Office
- Missouri State Highway Patrol

Missouri Consolidated Health Care Plan
Department of Conservation
Missouri Ethics Commission
Missouri House of Representatives
Office of the Lieutenant Governor
Office of Prosecution Services
State Auditor’s Office
Missouri Senate
Office of the Secretary of State
Office of the State Public Defender
State Treasurer’s Office
University of Central Missouri
Kansas City Metropolitan Community College
Linn State Technical College
Lincoln University

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SOURCES OF INFORMATION (continued)

Missouri State University
Truman State University
University of Missouri



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Director
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