

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1685-01
Bill No.: SB 342
Subject: Motor Vehicles; Licenses - Motor Vehicles; Transportation; Crimes and Punishment
Type: Original
Date: February 16, 2009

Bill Summary: Modifies numerous penalties for violations of motor vehicle licensing, registration, and equipment statutes

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
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 2010	FY 2011	FY 2012
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
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 2010	FY 2011	FY 2012
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Attorney General** assume that any potential costs arising from this proposal can be absorbed with existing resources.

Officials from the **Office of State Courts Administrator** state this proposal will have no fiscal impact on the Courts.

Officials from the **Missouri Office of Prosecution Services** state that this proposal will have no fiscal impact on their agency. The potential fiscal impact on county prosecuting attorneys will necessarily depend on the extent to which law enforcement agencies choose to enforce this provisions and/or are able to enforce this provision. If law enforcement agencies make arrests under this provision, there may be an impact based on the additional cased that may be filed.

Officials from the **Department of Corrections (DOR)** state that the fiscal impact to their agency is unknown, but assumed to be \$0, or a minimal amount that can be absorbed by DOC each year.

Officials from the **Office of State Public Defender (SPD)** stated this proposal would provide very minimal relief for the SPD System. In FY 2008, SPD provided representation in just 54 cases (out of a total of 85,405) which will be reduced to infractions if this proposed legislation is enacted.

In response to SB 101 (FN 0354-02) from last session, officials from the **Office of Secretary of State (SOS)** stated many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for that fiscal note to the SOS for Administrative Rules was less than \$2,500.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

According to officials from the **Department of Elementary and Secondary Education (DESE)**, 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
ASSUMPTION (continued)

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. 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 that while this proposal reduces certain misdemeanors to infractions, it also changes punishment for certain actions to a misdemeanor. For fiscal note purposes only, Oversight assumes the decrease in fines from reducing the misdemeanors to infractions may be offset with an increase in fines from the creation of certain misdemeanors. For fiscal note purposes only, **Oversight** will assign no fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
	<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.

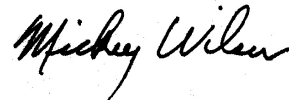
FISCAL DESCRIPTION

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 Attorney General
Department of Corrections
Department of Transportation
Office of State Courts Administrator
Department of Revenue
Department of Public Safety
 Office of the Director
 Missouri State Highway Patrol
Missouri Office of Prosecution Services
Department of Elementary and Secondary Education
Office of Secretary of State
Office of State Public Defender



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Director
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