

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 2065-01  
Bill No.: SB 435  
Subject: Crimes and Punishment; Criminal Procedure; Department of Mental Health  
Type: Original  
Date: March 5, 2009

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Bill Summary: The proposal allows the Department of Mental Health to contract with county jails to confine sexually violent predators who are civilly committed.

**FISCAL SUMMARY**

| <b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>                   |            |            |            |
|---|------------|------------|------------|
| FUND AFFECTED   | FY 2010    | FY 2011    | FY 2012    |
|   |            |            |            |
|   |            |            |            |
| <b>Total Estimated<br/>Net Effect on<br/>General Revenue<br/>Fund</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> |

| <b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>                      |            |            |            |
|---|------------|------------|------------|
| FUND AFFECTED   | FY 2010    | FY 2011    | FY 2012    |
|   |            |            |            |
|   |            |            |            |
| <b>Total Estimated<br/>Net Effect on <u>Other</u><br/>State Funds</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> |

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 4 pages.

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

| <b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b> |          |          |          |
|---|----------|----------|----------|
| FUND AFFECTED   | FY 2010  | FY 2011  | FY 2012  |
|   |          |          |          |
|   |          |          |          |
| <b>Total Estimated Net Effect on FTE</b>                  | <b>0</b> | <b>0</b> | <b>0</b> |

☐ 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).

| <b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b> |            |            |            |
|--|------------|------------|------------|
| FUND AFFECTED                              | FY 2010    | FY 2011    | FY 2012    |
| <b>Local Government</b>                    | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> |

## FISCAL ANALYSIS

### ASSUMPTION

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 Mental Health (DMH)** assume the proposal would have no fiscal impact on their agency. DMH currently contracts with certain counties to provide confinement for persons detained as sexually violent predators. This proposal would clarify and codify these arrangements.

Officials from the **Boone County Sheriff's Department** assume the proposal would potentially generate revenues. Any contract negotiated with the Department of Mental Health would have to include compensation for the daily expenses associated with housing the person. Those expenses are approximately \$62.50 per day. Without knowing what a contract might state, or how many persons they would house as a result of such a contract, officials are not able to offer an estimate of the revenues that could be generated.

**Oversight** assumes no local fiscal impact, as Department of Mental Health currently contracts with certain counties to provide confinement for persons detained as sexually violent predators, and the proposal clarifies and codifies these arrangements.

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

|  |            |            |            |
|--|------------|------------|------------|
|  | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |
|--|------------|------------|------------|

| <u>FISCAL IMPACT - Local Government</u> | FY 2010<br>(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.

BLG:LR:OD (12/02)

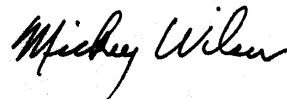
### FISCAL DESCRIPTION

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 State Courts Administrator  
Department of Mental Health  
Boone County Sheriff's Department

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive style with a large, stylized 'M' and 'W'.

Mickey Wilson, CPA  
Director  
March 5, 2009