

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4654-03
Bill No.: HCS for HB 1965
Subject: General Assembly
Type: Original
Date: March 17, 2010

Bill Summary: Repeals obsolete and ineffective statutes as recommended by the state departments.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
General Revenue	Unknown less than \$100,000	Unknown less than \$100,000	Unknown less than \$100,000
Total Estimated Net Effect on General Revenue Fund	Unknown less than \$100,000	Unknown less than \$100,000	Unknown less than \$100,000

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 7 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
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 2011	FY 2012	FY 2013
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Attorney General, Office of State Courts Administrator, Department of Higher Education, Office of Administration, Department of Insurance, Financial Institutions, and Professional Registration, Department of Mental Health, Department of Natural Resources, Department of Health and Senior Services, Department of Labor and Industrial Relations, Department of Revenue, Department of Social Services, Missouri Department of Transportation, Department of Public Safety, Office of the Governor, Department of Economic Development, Department of Elementary and Secondary Education, Missouri Ethics Commission, Missouri Senate, Office of State Auditor, Office of State Treasurer, Missouri Tax Commission, University of Missouri, Linn State Technical College, and Jackson County Recorder of Deeds** assume the proposal will have no fiscal impact on their organizations.

Officials from the **Office of Secretary of State (SOS)** state the fiscal impact for this proposal is less than \$2,500. The SOS does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the SOS can sustain within its core budget. Therefore, the SOS reserves the right to request funding for the costs of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the Governor.

Officials from the **Department of Corrections (DOC)** state this bill proposes to repeal statutes for which the DOC has received offender cases for criminal penalties in recent years.

§ 195.400 -- Drops the class D and C felonies associated with failure to obtain proper identification/make report of drug transfer. There was one DOC probation case for the class D felony in FY08.

§ 195.405 -- Drops the class D felony of furnishing or receiving a controlled substance without registration. There were two probation cases and one term sentence in FY08 and one probation case for this offense in FY09.

Currently, the DOC cannot predict the number of offenders who may have previously been sentenced due to the offense(s) outlined in this proposal. Commitments depends on the utilization by prosecutors and the actual sentences imposed by the court.

ASSUMPTION (continued)

If persons are not sentenced to the custody of the DOC due to the provisions of this legislation, the DOC will incur a corresponding savings in direct offender cost either through avoided incarceration (FY09 average of \$16.04 per offender, per day, or an annual cost of \$5,855 per inmate) or through avoided supervision provided by the Board of Probation and Parole (FY09 average of \$3.71 per offender, per day or an annual cost of \$1,354 per offender).

In summary, avoided supervision by the DOC through probation or incarceration would result in positive unknown costs to the department. Due to the low numbers of offenders received in recent years, it is assumed the impact would be a positive amount less than \$100,000 per year for the DOC.

In response to an earlier version of this proposal, officials from the **Department of Agriculture, Missouri House of Representatives, Parkway School District, Boone County Sheriff's Department, Boone County Collector of Revenue, St. Louis County, Kansas City Board of Elections, City of Centralia and City of Kansas City** assumed the proposal would have no fiscal impact on their organizations.

Officials from the **Office of Prosecution Services, Cole County Sheriff's Office, and City of St. Louis** did not respond to our request for a statement of fiscal impact.

No other officials from **County Recorders/Collectors, Sheriff's Departments, Cities, Schools, Court Clerks, or Election Authorities** responded to our request for a statement of fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2011 (10 Mo.)	FY 2012	FY 2013
GENERAL REVENUE			
<u>Savings - DOC</u>			
Reduction in incarceration and parole costs	<u>Unknown less than \$100,000</u>	<u>Unknown less than \$100,000</u>	<u>Unknown less than \$100,000</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>Unknown less than \$100,000</u>	<u>Unknown less than \$100,000</u>	<u>Unknown less than \$100,000</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2011 (10 Mo.)	FY 2012	FY 2013
	<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

This proposal repeals various expired provisions contained in the Missouri statutes. These provisions were identified in the January 2010 Annual Report of the Joint Committee on Legislative Research on Laws Which Expire, Sunset, Terminate, or Become Ineffective.

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

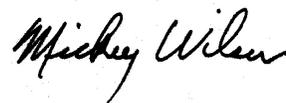
Office of Attorney General
Department of Agriculture
Office of Administration -
 Administrative Hearing Commission
 Division of Budget and Planning
Office of State Courts Administrator
Department of Economic Development -
 Missouri Housing Development Commission
 Office of Public Counsel
 Public Service Commission
 Missouri Veterans Commission
Department of Elementary and Secondary Education
Department of Insurance, Financial Institutions, and Professional Registration
Department of Higher Education
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

HWC:LR:OD

SOURCES OF INFORMATION (continued)

Department of Social Services
Office of the Governor
Missouri Department of Transportation
Department of Public Safety -
 Director's Office
 Missouri Gaming Commission
 Missouri State Highway Patrol
Missouri Ethics Commission
Missouri House of Representatives
Office of State Auditor
Missouri Senate
Office of Secretary of State
Office of State Treasurer
Missouri State Tax Commission
University of Missouri
Parkway School District
Linn State Technical College
Boone County Sheriff's Department
Boone County Collector of Revenue
St. Louis County
Jackson County Recorder of Deeds
Kansas City Board of Elections
City of Centralia
City of Kansas City

NOT RESPONDING: Office of Prosecution Services, Cole County Sheriff's Office, and City of St. Louis



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Director
March 17, 2010

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