

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0592-01
Bill No.: HB 256
Subject: Courts; Attorneys; Fees; Public Assistance
Type: Original
Date: January 31, 2011

Bill Summary: This proposal removes the sunset on the Basic Civil Legal Services Fund.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Basic Civil Legal Services*	\$0	\$0	\$0
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

* Income and Expenses assumed to net to zero in Fiscal Years 2012 and 2013.

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
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 2012	FY 2013	FY 2014
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the State Treasurer** assume the proposal would not fiscally impact their agency.

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

Officials from the **Office of the State Courts Administrator (CTS)** assume the proposal would not fiscally impact the courts. In response to a similar proposal from this year (SB 165), CTS stated the proposed legislation would extend the sunset of the Basic Civil Legal Services Fund.

The Basic Civil Legal Services Fund provides low income Missourians with equal access to the civil justice system. Moneys are paid to the Office of the State Court Administrator and credited to the fund, which is administered by the Supreme Court.

In addition to the other fees authorized by law, the clerk of each court collects fees on the filing of any civil and criminal action or proceeding, including an appeal: Supreme Court and Court of Appeals \$20.00; Circuit Courts \$10.00; Associate Circuit Courts \$8.00. The fund collects and disburses approximately \$3,000,000 in any given year.

According to reports from the Office of the State Treasurer, the Basic Civil Legal Services Fund (0757) had the following activity for the previous four fiscal years:

Year	Receipts / Transfers In	Disbursements / Transfers Out	Ending Balance
FY 2007	\$3,283,542	\$3,293,733	\$38,231
FY 2008	\$3,609,493	\$3,490,072	\$167,575
FY 2009	\$5,104,082	\$4,121,897	\$1,149,461
FY 2010	\$4,753,144	\$5,651,328	\$250,976
Average	\$4,187,565	\$4,139,258	

Oversight will reflect annual receipts and disbursements from the fund of \$4.1 million if the fund is not allowed to sunset (the bill is passed). Currently, the fund is set to expire on December 31, 2012; therefore, Oversight will reflect six months of activity in FY 2013 for the period of January 1, 2013 - June 30, 2013.

<u>FISCAL IMPACT - State Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
BASIC CIVIL LEGAL SERVICES			
<u>Income</u> - Office of the State Courts Administrator			
The expiration date of the fund is removed	\$0	\$2,050,000	\$4,100,000
<u>Expenses</u> - Office of the State Courts Administrator			
Proceeds of the fund are utilized according to Sections 488.031 and 477.650, RSMo	<u>\$0</u>	<u>(\$2,050,000)</u>	<u>(\$4,100,000)</u>
ESTIMATED NET EFFECT TO THE BASIC CIVIL LEGAL SERVICES FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
	<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

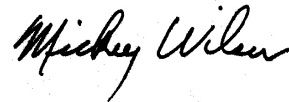
This bill removes the December 31, 2012, expiration date of the provisions regarding the Basic Civil Legal Services Fund.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

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SOURCES OF INFORMATION

Office of the State Courts Administrator
Office of the Attorney General
Office of the State Treasurer

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Director
January 31, 2011