

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4662-01  
Bill No.: SB 573  
Subject: Civil Procedure; Courts; Family Laws; Fees  
Type: Original  
Date: January 27, 2012

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Bill Summary: This proposal authorizes a twenty dollar civil court filing surcharge for certain districts.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
<b>Total Estimated Net Effect on <u>Other</u> 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>			
<b>FUND AFFECTED</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>
<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>			
<b>FUND AFFECTED</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>
<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>			
<b>FUND AFFECTED</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>
<b>Local Government</b>	<b>Up to \$607,100</b>	<b>Up to \$728,520</b>	<b>Up to \$728,520</b>

**FISCAL ANALYSIS**

**ASSUMPTION**

Officials from the **Office of the State Courts Administrator (CTS)** state the proposed legislation would allow certain circuits (Clay, Boone, Callaway, St. Louis County, St. Louis City and Greene) to charge up to a \$20 law library surcharge. The limit is now \$15.

CTS states there were 145,704 civil cases filed in these counties in FY 2011. If an additional \$5.00 was assessed on every case and collections were 100%, the income would be approximately \$728,520 in a given year.

<u>Circuit</u>	<u>Civil Cases</u>	<u>Potential additional \$5 library surcharge revenue</u>
Clay County (7 <sup>th</sup> )	16,836	\$84,180
Boone and Callaway (13 <sup>th</sup> )	10,738	\$53,690
St. Louis County (21 <sup>st</sup> )	66,370	\$331,850
St. Louis City (22 <sup>nd</sup> )	32,509	\$162,545
Greene County (31 <sup>st</sup> )	<u>19,251</u>	<u>\$96,255</u>
<b>TOTALS</b>	<b><u>145,704</u></b>	<b><u>\$728,520</u></b>

**Oversight** assumes the proposal IS permissive to the specific circuit courts and allows them to increase their this fee from \$15 to \$20. Oversight assumes not all circuits would choose to increase their fees; therefore, Oversight will range the fiscal impact from the proposal as “Up to \$728,520”. Oversight will reflect these additional revenues as potential income to local political subdivisions. Oversight will reflect ten months of potential impact in FY 2013.

The proposal does not change or expand the requirements of the circuit courts or how this additional revenue must be spent. Therefore, for purposes of the fiscal note, Oversight will only reflect the potential additional income that may be realized by specific circuit courts as a result of the proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2013 (10 Mo.)	FY 2014	FY 2015
	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

FISCAL IMPACT - Local Government

FY 2013  
(10 Mo.)

FY 2014

FY 2015

**CERTAIN CIRCUIT COURTS**

Revenue - potential increase in law library surcharge from \$15 to \$20 in certain circuits.

Up to \$607,100

Up to \$728,520

Up to \$728,520

**CERTAIN CIRCUIT COURTS**

**Up to \$607,100**

**Up to \$728,520**

**Up to \$728,520**

FISCAL IMPACT - Small Business

Small businesses that file civil suits in certain circuit courts could see an increase in filing fees as a result of this proposal.

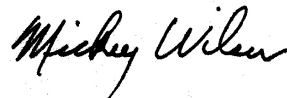
FISCAL DESCRIPTION

This act authorizes circuit courts that reimburse the state for salaries of family court commissioners to charge up to a twenty dollar surcharge when a party files a civil court case.

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 State Courts Administrator



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Director  
January 27, 2012