

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0141-01
Bill No.: SB 61 with SCA 1
Subject: Attorney General; Auditor, State; Corrections Department; Counties; Courts;
 Crimes and Punishment; Governor; General Assembly; Prisons and Jails
Type: Original
Date: March 11, 2013

Bill Summary: This proposal requires the State Auditor to compare the cost of death penalty cases and first-degree murder cases in which the death penalty is not sought.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Report on Death Penalty*	\$0	\$0	\$0
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

* Income and Cost will net to \$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
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 2014	FY 2015	FY 2016
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the State Auditor, Office of the State Treasurer, Department of Corrections** and **Office of the State Courts Administrator** each assume the proposal will have no fiscal impact on their respective organizations.

In response to a previous version, officials from the **Office of the State Public Defender** and the **Office of Prosecution Services** each assumed the proposal would have no fiscal impact on their respective organizations.

Officials from the **Attorney General's Office** did not respond to our request for fiscal impact.

Oversight assumes that this proposal would require the Office of the State Auditor to research and compare the costs of 1st degree murder death penalty cases with those in which the death penalty was not sought. The auditor's cost would be paid from the created fund (Report on the Costs of Administering the Death Penalty Fund) with gifts, donations or grants from private sources. Since the auditor shall only work on the report if all cost to the auditor's office is paid for, Oversight will assume a "\$0 to (Unknown)" cost to the Report on the Cost of Administering the Death Penalty Fund in FY '14 and FY '15. Oversight will also assume no costs in FY '16 since the report must be completed by June 30, 2015.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
REPORT ON THE COST OF ADMINISTERING THE DEATH PENALTY FUND			
<u>Income - SAU</u>			
Gifts, Donations or Grants	\$0 to Unknown	\$0 to Unknown	\$0
<u>Cost - SAU</u>			
Administrative cost	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>	<u>\$0</u>
ESTIMATED NET EFFECT TO THE REPORT ON THE COST OF ADMINISTERING THE DEATH PENALTY FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<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 requires the State Auditor to audit the costs of the death penalty. As part of the audit, the Auditor must compare the costs estimated to be related to cases in which the death penalty is sought and the costs estimated to be related to first-degree murder cases in which the death penalty is not sought.

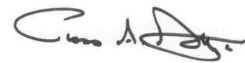
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the State Auditor
Department of Corrections
Office of the State Public Defender
Office of the State Courts Administrator
Office of Prosecution Services
Office of the State Treasurer

Not Responding:

Attorney General's Office



Ross Strope
Acting Director
March 11, 2013