

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0465-07
Bill No.: HCS for SCS for SB 118
Subject: Courts; Veterans
Type: Original
Date: May 3, 2013

Bill Summary: This proposal authorizes the creation of veterans treatment courts.

FISCAL SUMMARY

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

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$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 **Missouri State Public Defender** assume the proposal would not fiscally impact their agency.

In response to a previous version of the proposal, officials from the **Missouri Veterans Commission** and the **Office of Prosecution Services** each assumed the proposal would not fiscally impact their respective agencies.

Officials from the **Office of the State Courts Administrator** state the proposed legislation authorizes the creation of veterans treatment courts. The current cost per case in the drug court treatment program is \$6,190.

Based on the current clerical weighted workload, it takes 506 minutes of clerk time to process a treatment court case. Since the legislation is permissive, we have no way of knowing how many courts would create the programs. Any significant increase in workload and treatment cost will be reflected in future budget requests.

Oversight assumes if a circuit court decides to create a veterans treatment court, they will be able to do so utilizing existing resources. Therefore, Oversight will assume the proposal would not create a fiscal impact to the Office of the State Courts Administrator.

Officials from the **Department of Mental Health (DMH)** state this bill would allow any circuit court to establish a veterans treatment court as an alternative for the judicial system to dispose of cases which stem from substance abuse or mental illness of military veterans or current military personnel. Veterans treatment courts would make referrals for substance abuse or mental health treatment to Federal level programs or community-based treatment programs, including those certified by the Missouri Department of Mental Health.

It is unknown how many veterans treatment courts will be established, how many people they will serve, or how many veterans will be referred for state-funded community-based mental health or substance abuse treatment. Due to the various unknown factors associated with this bill, the Department of Mental Health projects an unknown cost. However, there will likely be savings elsewhere in the state's budget from avoiding repeated hospitalizations and incarcerations.

ASSUMPTION (continued)

Oversight will range a state fiscal impact to the Department of Mental Health from \$0 (either no veterans treatment courts are established, or there are no referrals for their programs, or referrals are to federal programs) to an unknown amount of costs for treatment as stated by DMH.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
GENERAL REVENUE			
<u>Costs</u> - Department of Mental Health program expenses for referrals from veterans treatment courts	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</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 act authorizes circuit courts or a combination of circuits to create veterans treatment courts. These courts will handle cases involving substance abuse or mental illness of current or former military personnel.

Veterans treatment courts may accept participants from other jurisdictions when there is no veterans treatment court in the jurisdiction where the participant is charged and as long as other criteria are met.

RS:LR:OD

FISCAL DESCRIPTION (continued)

The veteran treatment courts shall refer participants to substance abuse and mental health treatments. The court shall dismiss, reduce, or modify the charges against the participant upon successful completion of a treatment program.

Any statements made by a participant during treatment or reports prepared by staff of the treatment program shall not be admissible as evidence against the participant in judicial proceedings. Veterans treatment court staff shall be informed of matters relevant to a participant's treatment, but records and reports are to be treated as confidential and not available to the public.

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
Department of Mental Health
Department of Transportation
Office of Prosecution Services
Office of the State Public Defender
Department of Public Safety



Ross Strobe
Acting Director
May 3, 2013