

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0795-01
Bill No.: SB 113
Subject: Children and Minors; Social Services Department; Victims of Crime
Type: Original
Date: January 25, 2013

Bill Summary: This proposal modifies provisions of mandatory reporting of child sexual abuse.

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
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 6 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

For the purpose of this proposed legislation, officials at the **Office of State Public Defender (SPD)** cannot assume that existing staff will provide effective representation for any new cases arising where indigent persons are charged with the proposed new crime of failure to report child abuse, a Class A misdemeanor.

While the number of new cases (or cases with increased penalties) may be too few or uncertain to request additional funding for this specific bill, the SPD will continue to request sufficient appropriations to provide effective representation in all cases.

Oversight assumes the SPD can absorb the additional caseload that may result from this proposal.

Officials from the **Department of Corrections (DOC)** state the penalty provisions for violations, the component of the bill to have a potential fiscal impact for DOC, is for a class A misdemeanor. Currently, the DOC cannot predict the number of new commitments which may result from the creation of the offense(s) outlined in this proposal. An increase in commitments depends on utilization by prosecutors and the actual sentences imposed by the court.

If additional persons are sentenced to the custody of the DOC due to the provisions of this legislation, the DOC will incur a corresponding increase in operational cost through supervision provided by the Board of Probation and Parole (FY 12 average of \$4.96 per offender, per day, or an annual cost of \$1,810 per offender).

The DOC assumes supervision by the DOC through probation would result in some additional costs, but it is assumed the impact would be \$0, or a minimal amount that could be absorbed within existing resources.

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

Officials from the **University of Missouri (University)** state the proposal will have a minimal fiscal impact on the University.

Oversight assumes the University can absorb a minimal fiscal impact.

ASSUMPTION (continued)

Officials from the **Office of Prosecution Services (OPS)** assume the proposal will have no measurable fiscal impact on the OPS.

Officials from the **Department of Social Services - Division of Research and Evaluation** state by adding “or report to any law enforcement agency”, the proposal adds the option to report the incident to law enforcement in lieu of reporting to the Children’s Division (CD). Law enforcement personnel are mandated reporters and should call the Child Abuse or Neglect Hotline if they are contacted. It is important to make sure that law enforcement, with the proper jurisdiction, becomes involved in a timely manner. Jurisdiction of the crime would be where the incident actually occurred and if there are multiple incidents there could be multiple jurisdictions, including incidents that occurred in other states.

In Calendar Year 2011, approximately fifty-nine (59%) of the reporters were mandated reporters and thirty-eight (38%) were permissive reporters. Mandated reporters are required to report or cause to report. This legislation would require persons who are not currently mandated to report to report when he or she witnessed sexual abuse or give them the option to contact law enforcement. It is unknown how many extra calls would be made to the hotline and how many of them would result in a duplicate call rather than a new investigation. The Division does not anticipate that the number of calls would increase dramatically or that it would create a fiscal impact on the Children’s Division.

Officials from the **Office of State Courts Administrator**, the **Department of Health and Senior Services**, the **Department of Public Safety - Missouri State Highway Patrol**, the **Boone County Sheriff’s Department**, the **Columbia Police Department**, the **Jefferson City Police Department**, the **Springfield Police Department**, the **Parkway School District**, **Linn State Technical College**, **Missouri Southern State University**, **Missouri State University**, **Northwest Missouri State University**, **St. Louis Community College**, the **University of Central Missouri** and the **Metropolitan Community College** each assume the proposal would not fiscally impact their respective agencies.

No other officials from law enforcement agencies, school districts or colleges and universities responded to **Oversight’s** request for a statement of fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<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

The proposed legislation appears to have no direct fiscal impact.

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
Office of State Courts Administrator
Department of Corrections
Department of Health and Senior Services
Department of Social Services -
 Division of Research and Evaluation
Department of Public Safety -
 Missouri State Highway Patrol
Office of Prosecution Services
Office of State Public Defender
Boone County Sheriff's Department
Columbia Police Department
Jefferson City Police Department
Springfield Police Department
Parkway School District

HWC:LR:OD

SOURCES OF INFORMATION (continued)

Linn State Technical College
Metropolitan Community College
Missouri Southern State University
Missouri State University
Northwest Missouri State University
St. Louis Community College
University of Central Missouri
University of Missouri



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