

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1617-02
Bill No.: Truly Agreed To and Finally Passed CCS for SB 327
Subject: Counties; Courts; Crimes and Punishment; Criminal Procedure; Judges
Type: Original
Date: June 3, 2013

Bill Summary: This proposal modifies provisions relating to electronic monitoring of criminal defendants and DWI courts.

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 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 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

FISCAL ANALYSIS

ASSUMPTION

§ 478.007 - DWI Court:

In response to a similar proposal from 2013 (HCS for SB 100), officials from the **Office of the State Courts Administrator** stated this provision of the proposal would allow for the utilization of private probation and parole services to provide judicial supervision in DWI courts. Since the legislation is permissive, we have no way of knowing how many circuits would create the programs. Any significant increase in workload will be reflected in future budget requests.

§§ 544.455 and 557.011 - Criminal Defendants Released on Electronic Monitoring:

Oversight assumes this provision is permissive and some county commissions will elect to pay the cost of electronic monitoring and other county commissions will choose not to pay for the costs of monitoring which could also be paid by the person convicted of the crime. **Oversight** will show \$0 or an unknown cost to county commissions dependant on the number of defendants released on electronic monitoring that cannot pay the cost of monitoring.

Bill as a Whole:

Officials from the **Office of State Courts Administrator, Department of Corrections, Department of Revenue, Randolph County Health Department, and Missouri State Highway Patrol** each assume the proposal would not fiscally impact their respective agencies.

Officials from the Department of Transportation and numerous counties did not respond to **Oversight's** request for 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
LOCAL GOVERNMENT FUNDS			
<u>Cost - County Commissions</u> § 544.455 and 557.011 - Electronic Monitoring	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
ESTIMATED NET EFFECT ON LOCAL GOVERNMENT FUNDS	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

§ 544.455 and 557.011 - Criminal Defendants Released on Electronic Monitoring:

Under current law, a judge may release a person charged with a crime pending trial and place the person on house arrest with electronic monitoring if the person can afford the costs of the monitoring. A judge can also order that a person convicted of a crime and placed on probation be placed on house arrest with electronic monitoring if the person can afford the costs of the monitoring.

This proposal provides that, in either of the above scenarios, a person may be placed on electronic monitoring if the person can afford the costs or the county commission agrees to pay the costs of the monitoring from its general revenue.

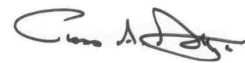
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of State Courts Administrator
Department of Public Safety -
Missouri State Highway Patrol
Department of Corrections
Department of Revenue

Not Responding:

Department of Transportation
Numerous Counties



Ross Strope
Acting Director
June 3, 2013