

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4206-04
Bill No.: Truly Agreed To and Finally Passed HCS for HB 1090
Subject: Department of Corrections; State Employees
Type: Original
Date: Mat 15, 2014

Bill Summary: This proposal allows any Department of Corrections employee who has accrued overtime hours to use those hours as compensatory leave time.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
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 2015	FY 2016	FY 2017
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Administration - Division of Personnel** state there could be significant fiscal impact for Department of Corrections in regard to overtime pay-off; however, it would be difficult to predict with any certainty or accuracy regarding how many hours of overtime would be accrued and the pay rates of the staff involved. Therefore, the fiscal impact is unknown.

Officials from the **Department of Corrections (DOC)** state this bill allows DOC officers who have accrued overtime hours to use those hours as compensatory leave time.

The proposed language, "Compensatory time shall be considered accrued upon completion of time worked in excess of such employee's normal assigned shift,..." reflects the recent ruling by the Western District in Missouri Corrections Officers Association v. Missouri Department of Corrections, WD 75418, which held, in essence, that a corrections officer's compensatory time accrues at the end of the shift in which he has worked excess time, and not at the end of the workweek. The Department is already aware of the need to modify our procedures as they are affected by the court case. The Department has changed the way it manages compensatory time in a manner that is compatible with the court case and has not seen any appreciable increase in the accrual of compensatory time. Therefore, we believe that this legislation would not lead to any significant accrual of additional compensatory time and should have \$0 to minimal impact on the Department.

<u>FISCAL IMPACT - State Government</u>	FY 2015 (10 Mo.)	FY 2016	FY 2017
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2015 (10 Mo.)	FY 2016	FY 2017
	<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.

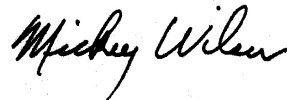
FISCAL DESCRIPTION

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

Department of Corrections
Office of Administration - Division of Personnel



Mickey Wilson, CPA
Director
May 15, 2014

Ross Strope
Assistant Director
May 15, 2014