

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5563-03
Bill No.: Perfected HCS for HB Nos. 1665 & 1335
Subject: Crimes and Punishment; Criminal Procedure
Type: Original
Date: March 26, 2014

Bill Summary: This proposal requires a person publishing an arrest booking photograph on his or her internet website to remove such photograph upon the request of the individual whose photograph was published.

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 5 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

In response to a previous version, the **Office of State Public Defender (SPD)** could not assume existing staff will provide competent, effective representation for any new cases where indigent persons are charged with the proposed new crime of publishing a booking photograph.

While the number of new cases may be too few or uncertain to request additional funding for this specific bill, the SPD will continue to request sufficient appropriations to provide competent and effective representation in all cases where the right to counsel attaches.

Oversight assumed the SPD could absorb the additional caseload that may result from this proposal.

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

Officials at the **Department of Public Safety - Missouri Highway Patrol**, the **Office of the State Courts Administrator** and the **Office of Prosecution Services** each assume no fiscal impact to their respective agencies from this proposal.

Officials at the **Cole County Sheriff's Department** and the **Springfield Police Department** each assume no fiscal impact to their respective organizations from this proposal.

In response to a previous version, officials at the **St. Charles Police Department**, the **Columbia Police Department**, **Boone County Sheriff's Department**, **Jackson County Sheriff's Department**, the **Jefferson City Police Department** and the **Eureka Fire Protection District** each assumed no fiscal impact to their respective organizations from this proposal.

Officials from the Buchanan County Sheriff's Department, Clark County Sheriff's Department, Independence Police Department, Platte County Sheriff's Department, St. Joseph Police Department, St. Louis County Police Department and the St. Louis Metropolitan Police Department did not respond to **Oversight's** request for fiscal impact.

<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.

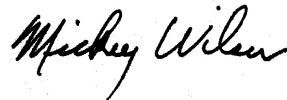
FISCAL DESCRIPTION

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

Office of Prosecution Services
Office of the State Courts Administrator
Office of the State Public Defender
Columbia Police Department
Springfield Police Department
Department of Public Safety - Missouri Highway Patrol
Office of the Attorney General
St. Charles Police Department
Boone County Sheriff's Department
Cole County Sheriff's Department
Jefferson City Police Department
Eureka Fire Protection District
Jackson County Sheriff's Department



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March 26, 2014

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March 26, 2014