

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 5563-05  
Bill No.: SCS for HCS for HB Nos. 1665 & 1335  
Subject: Business and Commerce; Crimes and Punishment  
Type: Original  
Date: May 13, 2014

---

Bill Summary: This proposal makes it unlawful to publish criminal record information in order to solicit a fee.

**FISCAL SUMMARY**

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

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

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 5 pages.

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

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

- 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).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials at 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- a new Class A misdemeanor.

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.

In response to the previous version of 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** and the **Office of the State Courts Administrator** each assume no fiscal impact to their respective agencies from this proposal.

Officials at the **Office of Prosecution Services (OPS)** assume this proposal would not fiscally impact OPS. However, the creation of a new crime creates additional responsibilities for county prosecutors which may in turn result in additional costs which are difficult to determine.

Officials at the **Springfield Police Department** assume there is no fiscal impact from this proposal.

In response to a previous version, officials at the **Cole County Sheriff's Department, 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.

ASSUMPTION (continued)

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.

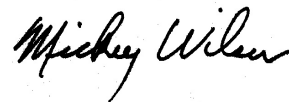
FISCAL DESCRIPTION

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



Mickey Wilson, CPA  
Director  
May 13, 2014

Ross Strobe  
Assistant Director  
May 13, 2014