

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0054-01
Bill No.: SB 240
Subject: Auditor, State; Courts; Crimes and Punishment; General Assembly; Governor
Type: Original
Date: February 5, 2015

Bill Summary: This proposal requires the State Auditor to make a one-time report on cost of administering the death penalty.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
General Revenue	(\$109,593)	(\$120,564)	\$0
Total Estimated Net Effect on General Revenue	(\$109,593)	(\$120,564)	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
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 2016	FY 2017	FY 2018
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
General Revenue	2 FTE	2 FTE	0
Total Estimated Net Effect on FTE	2 FTE	2 FTE	0

☒ Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the State Treasurer**, the **Department of Corrections**, the **Office of the State Courts Administrator** and the **Office of the State Public Defender** each assume the proposal will have no fiscal impact on their respective organizations.

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

In response to a similar proposal from last year (SB 61), officials from the **Office of Prosecution Services** assumed the proposal would have no fiscal impact on their organization.

Officials from the **Office of the State Auditor (SAO)** estimate that the required duties in relation to this proposal would require 2 FTE to perform this one-time comparison between the cost of the death penalty cases and first-degree murder cases in which the death penalty is not sought. One FTE would be at the Senior Auditor level and one FTE would be at the Staff Auditor I level.

Oversight assumes that this proposal would require the SAO to research and compare the costs of 1st degree murder death penalty cases with those in which the death penalty was not sought. Since the report must be completed by June 30, 2017, Oversight will assume no costs in FY '18.

<u>FISCAL IMPACT - State Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
GENERAL REVENUE			
<u>Cost - SAO</u>			
Personal Service	(\$65,088)	(\$78,887)	\$0
Fringe Benefits	(\$33,849)	(\$41,025)	\$0
Expense and Equipment	<u>(\$10,656)</u>	<u>(\$652)</u>	<u>\$0</u>
<u>Total Cost - SAO</u>	<u>(\$109,593)</u>	<u>(\$120,564)</u>	<u>\$0</u>
FTE Change - SAO	2 FTE	2 FTE	\$0
ESTIMATED NET EFFECT TO THE GENERAL REVENUE	<u>(\$109,593)</u>	<u>(\$120,564)</u>	<u>\$0</u>

FISCAL IMPACT - Local Government

FY 2016
(10 Mo.)

FY 2017

FY 2018

\$0

\$0

\$0

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

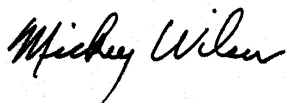
This proposal requires the state Auditor to make a one-time report on the costs of administering the death penalty. As part of the report, the Auditor must compare the costs estimated by the Auditor to be related to cases in which the death penalty is sought and is imposed to the costs for cases in which the death penalty is not sought and the defendant is sentenced to life without parole and cases in which the death penalty is sought, but not imposed.

The results must be reported to the Governor, General Assembly, and the Missouri Supreme Court by June 30, 2017.

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 the State Auditor
Department of Corrections
Office of the State Public Defender
Office of the State Courts Administrator
Office of Prosecution Services
Office of the State Treasurer
Attorney General's Office



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Mickey Wilson, CPA
Director
February 5, 2015

Ross Strobe
Assistant Director
February 5, 2015