

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0535-04
Bill No.: Perfected SS for SCS for SB 67
Subject: Criminal Procedure; Courts; County Government; Circuit Clerk
Type: Original
Date: March 4, 2015

Bill Summary: This proposal provides that Howell County shall collect a surcharge of up to ten dollars in civil and criminal cases to be used for a municipal or county judicial facility.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Total Estimated Net Effect on General Revenue	\$0	\$0	\$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 4 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
Total Estimated Net Effect on FTE	0	0	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 or Could exceed \$60,000	\$0 or Could exceed \$60,000	\$0 or Could exceed \$60,000

FISCAL ANALYSIS

ASSUMPTION

In response to a previous version of this proposal, officials at the **Office of the State Courts Administrator** assumed the legislation provides that Howell County shall collect a ten dollar surcharge in criminal cases to be used for a criminal justice center. Based on the average data from FY 2010 through FY 2014, there were approximately 3,949 filed guilty pleas. We anticipate the surcharge would be approximately \$39,490 in any given year.

Oversight assumes the surcharge is being paid by the defendant and will therefore have no fiscal impact to the state from this legislation.

In response to a previous version of this proposal, officials at **Howell County** assumed a projected income of \$60,000 with no or nominal expense to the county.

Officials at the City of West Plains did not respond to **Oversight's** request for fiscal impact.

The Senate Substitute added civil cases that the \$10 surcharge would apply to. **Oversight** will utilize the estimate from Howell County.

<u>FISCAL IMPACT - State Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
HOWELL COUNTY FUNDS			
<u>Revenue</u> - \$10 surcharge for criminal justice center	\$0 or Could <u>Exceed \$60,000</u>	\$0 or Could <u>Exceed \$60,000</u>	\$0 or Could <u>Exceed \$60,000</u>
ESTIMATED NET EFFECT ON HOWELL COUNTY FUNDS	<u>\$0 or Could Exceed \$60,000</u>	<u>\$0 or Could Exceed \$60,000</u>	<u>\$0 or Could Exceed \$60,000</u>

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

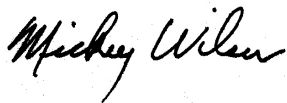
This act provides that the court shall, upon adoption of an ordinance, assess a surcharge of up to ten dollars for civil and criminal cases filed in Howell County. The surcharge shall not be assessed when the case has been dismissed or if the court costs are to be paid by the state, county, or municipality.

The money collected shall be used by the county to pay for the land assemblage and purchase, construction, maintenance, and upkeep of a county justice center.

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 Courts Administrator
Howell County



Mickey Wilson, CPA
Director
March 4, 2015

Ross Strobe
Assistant Director
March 4, 2015