

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0535-05  
Bill No.: HCS for SS for SCS for SB 67  
Subject: Courts  
Type: Original  
Date: April 24, 2015

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Bill Summary: This proposal modifies provisions related to court costs.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Jasper County Judicial Fund*	\$0	\$0	\$0
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

\* Revenue and Transfers Out to Jasper County assumed to net to zero.

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 2016</b>	<b>FY 2017</b>	<b>FY 2018</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 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

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

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>
<b>Local Government</b>	<b>More than \$100,000</b>	<b>More than \$100,000</b>	<b>More than \$100,000</b>

## FISCAL ANALYSIS

### ASSUMPTION

Due to time constraints, officials from the **Office of the State Courts Administrator (OSCA)** estimated the impact of the three surcharges in this proposal would be under \$100,000 for each, but over \$100,000 in additional revenue, collectively.

#### §488.2244 - Jasper County

**Oversight** does not have information regarding the number of civil and criminal cases filed in the 29th judicial circuit that this new \$10 surcharge would apply to. Therefore, Oversight will utilize OSCA's "under \$100,000" of impact estimate.

#### §488.2257 - Howell County

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.

#### §488.2258 - Regional Juvenile Detention Districts

Again, **Oversight** does not have information regarding the number of cases that this new \$1 surcharge would apply to. Therefore, Oversight will utilize OSCA's "under \$100,000" of impact estimate.

#### Bill as a whole

**Oversight** assumes the surcharges will be paid by the defendant and will therefore have no fiscal impact to the state from this legislation.

Officials at the **Office of the State Treasurer** assume no fiscal impact from this proposal.

Officials at the following counties: Bollinger, Cape Girardeau, Christian, Cole, Jasper, Maries, Montgomery, New Madrid, Ozark, Perry, Pulaski, St. Francois and Wayne did not respond to **Oversight's** request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
<b>JASPER COUNTY JUDICIAL FUND</b>			
<u>Revenue</u> - \$10 surcharge on cases in the 29th Judicial Circuit	Less than \$100,000	Less than \$100,000	Less than \$100,000
<u>Transfers Out</u> - to Jasper County	(Less than \$100,000)	(Less than \$100,000)	(Less than \$100,000)
<b>ESTIMATED NET EFFECT TO THE JASPER COUNTY JUDICIAL FUND</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<u>FISCAL IMPACT - Local Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
<b>LOCAL POLITICAL SUBDIVISIONS</b>			
<u>Revenue</u> - Jasper County - §488.2444	Less than \$100,000	Less than \$100,000	Less than \$100,000
<u>Revenue</u> - Howell County - §488.2257 surcharge for criminal justice center	Less than \$100,000	Less than \$100,000	Less than \$100,000
<u>Revenue</u> - Regional Juvenile Detention Districts §488.2258	Less than \$100,000	Less than \$100,000	Less than \$100,000
<b>ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS</b>	<b><u>More than \$100,000</u></b>	<b><u>More than \$100,000</u></b>	<b><u>More than \$100,000</u></b>

FISCAL IMPACT - Small Business

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

### FISCAL DESCRIPTION

This proposal creates in the state treasury the "Jasper County Judicial Fund". The moneys shall be used to pay for the costs associated with the purchase, lease, and operation of a county juvenile center and county judicial facility.

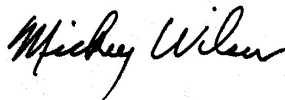
This proposal also provides that the court shall, upon adoption of an ordinance, assess a surcharge of up to ten dollars for civil and criminal cases filed in Howell County. The surcharge shall not be assessed when the case has been dismissed or if the court costs are to be paid by the state, county,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

Finally, this proposal also provides a surcharge of one dollar to be assessed as costs in each court proceeding filed in any court in the state located in a regional juvenile detention district.

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  
Office of the State Treasurer  
Howell County



Mickey Wilson, CPA  
Director  
April 24, 2015

Ross Strope  
Assistant Director  
April 24, 2015