

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4336-03
Bill No.: SCS for SB 663
Subject: Alcohol; Courts; Crimes and Punishment; Criminal Procedure
Type: Original
Date: March 4, 2016

Bill Summary: This proposal modifies provisions related to criminal offenses.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
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 2017	FY 2018	FY 2019
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
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 2017	FY 2018	FY 2019
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Public Safety - Missouri Highway Patrol, Department of Mental Health, Department of Health and Senior Services, Office of the State Courts Administrator, Department of Insurance, Financial Institutions and Professional Registration, Department of Transportation, Department of Agriculture, Department of Revenue, the Office of Prosecution Services, and the Office of the State Public Defender** each assume the proposal would not fiscally impact their respective agencies.

In response to another version, officials from the **Office of the Secretary of State (SOS)** assumed the proposal would not impact their agency.

Officials from the **Department of Corrections (DOC)** state there were 35 new admissions for the class D felony of aggravated stalking in FY14. Twenty two were probation cases, three were 120 day admissions and ten served a term sentence averaging 24 months. There were no new admissions for the class C felony of aggravated stalking (previous) in FY14, to include term sentences or probation cases. Broadening the definition of this statute may lead to more convictions. The majority can still expect to receive probation for these violations.

For a new class D felony it is assumed that 3 offenders per year would be sentenced for the offense, one to prison and 2 to probation. Probationers would serve an average of 3 years and an offender would serve an average of 12 months in prison and three years on parole. The impact for the class D felony is one additional offender in prison and eight on supervision.

The FY15 average cost of supervision is \$6.04 per offender per day or an annual cost of \$2,205 per offender. The DOC cost of incarceration is \$16.809 per day or an annual cost of \$6,135 per offender.

The DOC assumes a cost of \$8,788 in FY 2017 (1 offender in prison and 2 on probation/parole), \$16,379 in FY 2018 (1 offender in prison and 4.5 on probation/parole), and \$23,588 in FY 2019 (1 offender in prison and 7.5 on probation/parole).

Oversight assumes these amounts could be absorbed within existing DOC appropriations. Therefore, Oversight will assume the proposal will not have a material fiscal impact upon the Department of Corrections.

<u>FISCAL IMPACT - State Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
	<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.

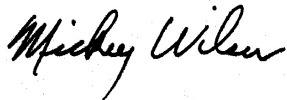
FISCAL DESCRIPTION

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

Department of Public Safety
Office of Prosecution Services
Office of the State Public Defender
Office of the State Courts Administrator
Department of Corrections
Department of Revenue
Department of Insurance, Financial Institutions and Professional Registration
Office of the Secretary of State
Department of Transportation
Department of Agriculture
Department of Mental Health
Attorney General's Office
Department of Health and Senior Services



Mickey Wilson, CPA
Director
March 4, 2016

Ross Strobe
Assistant Director
March 4, 2016