

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4402-01
Bill No.: SB 652
Subject: Auditor, State; Courts; Crime and Punishment; General Assembly; Governor
Type: Original
Date: December 15, 2015

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

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
General Revenue	(\$111,959)	(\$123,225)	\$0
Total Estimated Net Effect on General Revenue	(\$111,959)	(\$123,225)	\$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 4 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
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 2017	FY 2018	FY 2019
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

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.

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

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

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, 2018, Oversight will assume no costs in FY '19.

<u>FISCAL IMPACT - State Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
GENERAL REVENUE			
<u>Cost - SAO</u>			
Personal Service	(\$66,563)	(\$80,675)	\$0
Fringe Benefits	(\$35,005)	(\$42,224)	\$0
Expense and Equipment	<u>(\$10,391)</u>	<u>(\$326)</u>	<u>\$0</u>
<u>Total Cost - SAO</u>	<u>(\$111,959)</u>	<u>(\$123,225)</u>	<u>\$0</u>
FTE Change - SAO	2 FTE	2 FTE	0 FTE
ESTIMATED NET EFFECT TO THE GENERAL REVENUE	<u>(\$111,959)</u>	<u>(\$123,225)</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

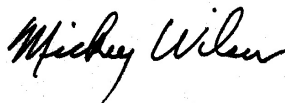
This proposal requires the State Auditor to make a one-time report on the costs of administering the death penalty. As part of the report, the auditor must compare the costs estimated by the auditor to be related to cases in which the death penalty is sought and is imposed to the costs for cases in which 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, 2018.

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

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



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December 15, 2015

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