

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5163-04
Bill No.: Truly Agreed To and Finally Passed SS for HCS for HB 1765
Subject: Credit and Bankruptcy; Property, Real and Personal; Uniform Laws; Estate, Wills and Trusts; Courts; Civil and Criminal Procedure; Liability; Mental Health; Health Care Professionals; Crimes and Punishment; Probation and Parole
Type: Original
Date: June 15, 2016

Bill Summary: This proposal creates regulations for commercial receiverships and powers of appointment, exempts firearms from bankruptcy, modifies provisions regarding wills, trusts, and exonerated individuals, and establishes a statute of limitations on suits against mental health professionals.

FISCAL SUMMARY

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

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 6 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

§§404.717, 456.3-304, 456.4B-411, 456.7-706, 469.467, 473.050

In response to similar legislation this year, HCS for SS for SCS for SB 698, officials at **St. Louis County**, the **Platte County Board of Election Commissioners** and the **St. Louis County Board of Elections** each assumed no fiscal impact to their respective entities from this proposal.

In response to similar legislation this year, HCS for SS for SCS for SB 698, officials at the **Callaway County Commission** and **Lincoln County** each assumed no fiscal impact to their respective entities from this proposal.

§§515.500, 515.505, 515.510, 515.515, 515.520, 515.525, 515.530, 515.535, 515.540, 515.545, 515.550, 515.555, 515.560, 515.565, 515.570, 515.575, 515.580, 515.585, 515.590, 515.595, 515.600, 515.605, 515.610, 515.615, 515.620, 515.625, 515.630, 515.635, 515.640, 515.645, 515.650, 515.655, 515.660, 515.665

In response to similar legislation this year, CCS for HCS for SCS for SB 578, officials at **St. Louis County** and the **Callaway County Commission** each assumed no fiscal impact to their respective entities from this proposal.

In response to similar legislation this year, CCS for HCS for SCS for SB 578, officials at the **Boone County Sheriff's Department** assumed no fiscal impact from this proposal.

§650.058

Oversight assumes this part of the proposal may result in a higher number of individuals who receive restitution from the state for being wrongly convicted and imprisoned. Therefore, Oversight will assume a potential unknown increased state expense from this proposal.

Bill as a whole

Officials from the **Office of the Secretary of State (SOS)** state many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet

ASSUMPTION (continued)

these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with the core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the Governor.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process.

In response to a previous version, officials at the **Office of the Attorney General (AGO)** assumed that any potential costs arising from this proposal can be absorbed with existing resources. The AGO may seek additional appropriations if the proposal results in a significant increase in cases.

Officials at the **Department of Economic Development**, the **Office of Administration's Division of Accounting**, the **Joint Committee on Administrative Rules**, the **Office of the State Courts Administrator**, the **Department of Agriculture**, the **Office of the Governor**, the **Department of Mental Health**, the **Department of Revenue**, the **Office of the State Treasurer**, the **Department of Health and Senior Services**, the **Department of Insurance, Financial Institutions and Professional Registration**, the **Department of Social Services**, the **Missouri Department of Transportation**, the **Department of Public Safety's Missouri Highway Patrol**, the **Office of Prosecution Services**, the **Department of Natural Resources**, the **Department of Corrections**, the **Office of the State Public Defender** and the **State Tax Commission** each assume no fiscal impact to their respective agencies from this proposal.

Officials at the **Jackson County Board of Election Commission** and the **Cole County Sheriff's Department** each assume no fiscal impact to their respective entities from this proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
GENERAL REVENUE			
<u>Costs - DOC - potential increase in restitution paid to those wrongly convicted and imprisoned (Section 650.058)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</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

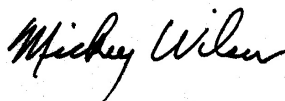
§650.058

This part of the proposal may result in a higher number of individuals who receive restitution from the state for being wrongly convicted and imprisoned.

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 - Missouri Highway Patrol
Attorney General's Office
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 Agriculture
Department of Mental Health
Department of Health and Senior Services
Joint Committee on Administrative Rules
Department of Social Services
Missouri Department of Transportation
Department of Natural Resources
Office of the State Treasurer
State Tax Commission
Office of the Governor
St. Louis County
Platte County Board of Election Commission
St. Louis County Board of Election Commission
Jackson County Board of Election Commission
Callaway County Commission
Lincoln County
Boone County Sheriff's Department
Department of Economic Development
Office of Administration
 Division of Accounting
Cole County Sheriff's Department



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June 15, 2016

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