

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5905-04
Bill No.: Truly Agreed To and Finally Passed CCS for SCS for SB 921
Subject: Law Enforcement Officers and Agencies; Crimes and Punishment; Highway Patrol; Department of Public Safety; Governor; General Assembly
Type: Original
Date: May 26, 2016

Bill Summary: This proposal modifies provisions relating to victims of crime.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
General Revenue	(\$46,286)	(\$46,499)	(\$46,906)
Total Estimated Net Effect on General Revenue	(\$46,286)	(\$46,499)	(\$46,906)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Crime Victims' Compensation	(Less than \$100,000)	(Less than \$100,000)	(Less than \$100,000)
Total Estimated Net Effect on <u>Other</u> State Funds	(Less than \$100,000)	(Less than \$100,000)	(Less than \$100,000)

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 8 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	1 FTE	1 FTE	1 FTE
Total Estimated Net Effect on FTE	1 FTE	1 FTE	1 FTE

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

§595.030 - Crime Victim's Compensation Fund:

In response to a similar proposal from this year (HB 1430), officials from the **Department of Public Safety - Office of the Director (DPS)** stated they see no fiscal impact for this legislation, as compensation for these additional practitioners is subject to the maximum reimbursement for this program and DPS felt can be absorbed within the existing funds.

Oversight notes that according to the DPS web site, the Crime Victims' Compensation Program has paid the following amounts for medical awards over the last three years:

FY 2015	\$2,945,171
FY 2014	\$2,804,727
FY 2013	\$3,742,524
FY 2012	\$4,089,390

Current statute states that the medical expenses per eligible claim, for psychiatric, psychological or counseling expenses resulting from the crime committed, cannot exceed \$2,500. In addition, there is a maximum limit of \$25,000 total costs paid out per eligible claim.

This proposal adds a medical service provider to the list of approved costs for reimbursement, but does not increase the per person maximum payout.

According to DPS' budget submission, the estimated number of New Victim Claims is:

2014	Actual	1,583
2015	Actual	1,539
2016		1,550
2017		1,600

Since a victim can already be compensated for services received from a psychologist, clinical social worker, or professional counselor, **Oversight** will assume this proposal will not greatly impact the program. Therefore, Oversight assumes expanding the program by compensating for treatment from psychiatric-mental health nurse practitioners or psychiatric-mental health clinical nurse specialists will have some impact on the Crime Victims' Compensation Fund, but by less than \$100,000 annually.

ASSUMPTION (continued)

§595.209 - Rights of Victims of Dangerous Felonies:

In response to similar proposals from this year (HB 2133 and HB 2561), officials from the **Department of Corrections (DOC)** assumed no fiscal impact to their agency. However, DOC states upon further review, they believe this legislation will increase the workload in their Victim Services Unit due to mandating notification of rights for victims of domestic assault. Therefore, DOC estimates this will require 1 additional Senior Office Support Assistant (Keyboarding) in Victim Services in the Office of the Director, which will cost (\$46,286) in FY17, (\$46,499) in FY18 and (\$46,906) in FY19.

Bill as a whole:

Officials from the **Department of Public Safety - Missouri Highway Patrol, Department of Social Services, Office of the State Courts Administrator, Department of Mental Health,** and the **Office of Prosecution Services** each assume the proposal would not fiscally impact their respective agencies.

Officials at the **Department of Higher Education (DHE)** state Section 173.2050.3 grants the Department of Public Safety, in cooperation with DHE, rulemaking authority over the section. DHE assumes this can be done with current staff resources and will cause no fiscal impact.

In response to other proposals from this year granting rulemaking authority, officials from the **Office of the Secretary of State (SOS)**, have stated 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 these costs. However, we also recognize 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 our office can sustain with our core budget. Therefore, we reserve 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.

ASSUMPTION (continued)

Officials from the **Joint Committee on Administrative Rules** state this legislation is not anticipated to cause a fiscal impact beyond its current appropriation.

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

In response to a previous version, officials from the **Springfield Police Department** assumed the proposal would not fiscally impact their agency

Officials from the **Cole County Sheriff's Department** assume a very minimal fiscal impact..

Officials from **Missouri State University** assume no fiscal impact from the proposal.

In response to similar legislation filed this year, SB 1085, officials at the **University of Central Missouri** assumed this would not have a fiscal impact as the University already has a contract with Johnson County and the City of Warrensburg. However, the rules adopted by the Department of Higher Education could have an impact, which is unknown at this time.

In response to similar legislation filed this year, SB 1085, officials at the **State Technical College of Missouri** assume the impact would be minimal. The impact would be the time it takes to formalize an agreement.

Officials from **Northwest Missouri State University** assume a cost of \$15,000 from the proposal.

Oversight assumes local law enforcement and Missouri's colleges and universities would be able to implement the provisions of the proposal with existing resources.

<u>FISCAL IMPACT - State Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
GENERAL REVENUE			
<u>Costs - DOC</u> §595.209			
Personal Service	(\$21,520)	(\$26,082)	(\$26,343)
Fringe Benefits	(\$14,289)	(\$17,218)	(\$17,289)
Expense & Equipment	<u>(\$10,477)</u>	<u>(\$3,199)</u>	<u>(\$3,274)</u>
<u>Total Costs - DOC</u>	<u>(\$46,286)</u>	<u>(\$46,499)</u>	<u>(\$46,906)</u>
FTE Change - DOC	1 FTE	1 FTE	1 FTE
 ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND	 <u>(\$46,286)</u>	 <u>(\$46,499)</u>	 <u>(\$46,906)</u>
 Estimated Net FTE Change for the General Revenue Fund	 1 FTE	 1 FTE	 1 FTE
 CRIME VICTIMS' COMPENSATION			
<u>Costs - Department of Public Safety - inclusion of services of board certified psychiatric-mental health clinical nurse specialists to be compensated §595.030</u>	(Less than <u>\$100,000</u>)	(Less than <u>\$100,000</u>)	(Less than <u>\$100,000</u>)
 ESTIMATED NET EFFECT TO THE CRIME VICTIMS COMPENSATION FUND	 <u>(Less than \$100,000)</u>	 <u>(Less than \$100,000)</u>	 <u>(Less than \$100,000)</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

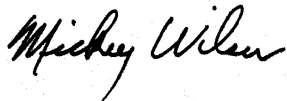
COMPENSABLE MENTAL HEALTH SERVICES FOR VICTIMS OF CRIME (Section 595.030) - authorizes a board certified psychiatric-mental health clinical nurse specialist and board certified psychiatric-mental health clinical nurse practitioner to be eligible for reimbursement by crime victim compensation when providing crisis counseling.

VICTIMS' RIGHTS (Section 595.209) - under current law, victims of certain specified crimes automatically have certain enumerated rights. Victims of other types of crimes have the same rights upon written request. This act adds victims of sexual offenses and victims of domestic assault to the list of crime victims who automatically have the enumerated rights.

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
Department of Corrections
Department of Social Services
Office of the State Courts Administrator
Department of Mental Health
Office of Prosecution Services
Office of the Secretary of State
Joint Committee on Administrative Rules
Attorney General's Office
Department of Higher Education
Missouri State University
Cole County Sheriff's Department
Springfield Police Department
State Technical College of Missouri
University of Central Missouri
Northwest Missouri State University



Mickey Wilson, CPA
Director
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Ross Strope
Assistant Director
May 26, 2016