

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0434-01  
Bill No.: SB 83  
Subject: Courts; Civil and Criminal Procedure  
Type: Original  
Date: January 17, 2017

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Bill Summary: This proposal allows any single noncharter county judicial circuit to collect a court surcharge to be used towards the maintenance and construction of judicial facilities.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
<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 2018	FY 2019	FY 2020
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 4 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</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 2018</b>	<b>FY 2019</b>	<b>FY 2020</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 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
<b>Local Government</b>	<b>Less than \$847,680</b>	<b>Less than \$847,680</b>	<b>Less than \$847,680</b>

**FISCAL ANALYSIS**

**ASSUMPTION**

Officials at the **Office of the State Courts Administrator (OSCA)** assume the proposed legislation allows any single noncharter county judicial circuit to collect a court surcharge to be used towards the maintenance and construction of judicial facilities. The 6<sup>th</sup> Circuit (Platte County), 7<sup>th</sup> Circuit (Clay County), 19<sup>th</sup> Circuit (Cole County), 29<sup>th</sup> Circuit (Jasper County), 31<sup>st</sup> Circuit (Greene County), 38<sup>th</sup> Circuit (Christian County), and 46<sup>th</sup> Circuit (Taney County) qualify. Based on FY 2015 data, there were 40,890 filed civil cases and 43,878 filed criminal cases. OSCA anticipates the surcharge could be up to approximately \$847,680 (40,890 + 43,878 = 84,768 (\$10) = \$847,680).

**Oversight** assumes OSCA's response includes Greene County. This proposal adds single noncharter county judicial circuits, however, Greene County's surcharge was authorized in Truly Agreed To and Finally Passed CCS for SS for SCS for HCS for HB 1231 from FY 2014. Oversight can not back into Greene County's number from OSCA's response, therefore, Oversight assumes the revenue collected from this surcharge on noncharter county judicial circuits will be less than \$847,680.

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

<u>FISCAL IMPACT - State Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
 <u>FISCAL IMPACT - Local Government</u>	 FY 2018 (10 Mo.)	 FY 2019	 FY 2020
<b>LOCAL POLITICAL SUBDIVISIONS</b>			
<u>Revenue - \$10 surcharge on cases in the single noncharter county judicial circuits</u>	<u>Less than \$847,680</u>	<u>Less than \$847,680</u>	<u>Less than \$847,680</u>
<b>ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS</b>	<b><u>Less than \$847,680</u></b>	<b><u>Less than \$847,680</u></b>	<b><u>Less than \$847,680</u></b>

FISCAL IMPACT - Small Business

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

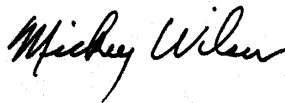
FISCAL DESCRIPTION

This act provides that any single noncharter county judicial circuit, rather than just the Thirty-First Judicial Circuit, shall collect a surcharge of up to ten dollars in all cases to be deposited in an account known as the "Justice Center Fund." In addition to costs associated with the construction, maintenance, and operation of a judicial facility, the act states that the funds from the surcharge may be used for the planning, including architectural and engineering plans, of a judicial facility or justice center. The county or municipality shall maintain records identifying all funds received and expenditures made from the fund.

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



Mickey Wilson, CPA  
Director  
January 17, 2017

Ross Strobe  
Assistant Director  
January 17, 2017