

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2196-01
Bill No.: SB 499
Subject: Crimes and Punishment; Drugs and Controlled Substances; Drunk Driving/Boating
Type: Original
Date: April 7, 2017

Bill Summary: This proposal defines the offense of driving with prohibited blood alcohol or drug content.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
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 2018	FY 2019	FY 2020
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
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 2018	FY 2019	FY 2020
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

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

Officials from the **Department of Revenue (DOR)** state the proposed language is removing "excessive", replacing it with "prohibited", and adding "or drug", making the reference throughout the section read "prohibited blood alcohol or drug content".

The proposed legislation is also creating the offense of operating a vehicle under a controlled substance. The presence of a controlled substance is obtained through the analysis of a person's bodily fluids after the individual was operating a motor vehicle.

This section allows for the person to assert the affirmative defense that the controlled substance present in that person's body was prescribed for that person and taken in accordance with medical direction.

This will require new charge codes to be created by the State Judicial Records Committee (SJRC). The Department will be required to map the newly created charge codes to our existing MODL codes.

This will also require the Department to change the MODL description for the offense of "Excessive Blood Alcohol Content" since this language is replacing "excessive" with "prohibited".

In FY2018, the proposal would require the following:

- Updates to Forms and internal procedures;
- Updates to Website;
- Training of Staff;
- Review of new charge code to map to existing MODL codes; and
- change MODL code description

ASSUMPTION (continued)

Management Analyst Spec I - 160 hrs. @ \$20.94	\$3,350
Revenue Band Manager I - 40 hrs. @ \$25.93	<u>\$1,037</u>
	\$4,387
Update web pages-	
Administrative Analyst III - 40 hrs. @ \$22.59	<u>\$ 904</u>
Total admin expenses	\$5,291

In addition, DOR ITSD assumes a cost of \$5,346 for 71.28 hours of programming, at \$75 per hour, to implement these changes.

In summary, DOR assumes a cost of \$10,637 to implement this proposal.

ITSD programming	\$ 5,346; and
other administrative expenses	<u>\$ 5,291</u>
TOTAL	\$10,637

Oversight assumes DOR is provided with core funding to handle a certain amount of activity each year. Oversight assumes DOR could absorb these costs within their current appropriation levels. Therefore, Oversight will not reflect a cost to DOR for this proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
	<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 - Missouri Highway Patrol
Department of Transportation
Office of Prosecution Services
Office of the State Public Defender
Office of the State Courts Administrator

Mickey Wilson, CPA

Director
April 7, 2017



Ross Strope
Assistant Director
April 7, 2017