

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 6484-01  
Bill No.: HB 2562  
Subject: Courts; Drugs and Controlled Substances; Alcohol  
Type: Original  
Date: March 12, 2018

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Bill Summary: This proposal establishes treatment courts.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
<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>			
<b>FUND AFFECTED</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
<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 6 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</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 2019</b>	<b>FY 2020</b>	<b>FY 2021</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 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**FISCAL ANALYSIS**

**ASSUMPTION**

Officials at the **Department of Corrections (DOC)** assume no fiscal impact from this proposal. Section 217.703 establishes the rules and regulations of earned compliance credits (ECC) for offenders on probation, parole, or conditional release. With the new legislation, a section 12 is added which governs ECCs. An offender (on field supervision), upon entering into a treatment court, will have all ECC accrual suspended until completion of its program. At that point, all accumulated ECCs accrued during the time of suspension are retroactively applied if the offender successfully completed his/her time in treatment court. If the offender fails completion of treatment court, the offender accrues no ECCs during the time period.

To understand the impact of this bill, an analysis was done on current drug court programs used during field supervision. In FY17, a total of 9,127 offenders were discharged from probation, parole, or conditional release using earned compliance credits. Of these, 548 attended a drug court program during field supervision. Forty-four percent were unsuccessful in completing the drug program (241 individuals); they spent an average of 0.87 years in the program. From these findings, the estimated impact of this proposal is that each year 241 persons on field supervision will not earn ECC for 10 months which results in 5 more months of field supervision.

With the enactment of this proposal, an additional 101 offender-years will occur each year in field supervision.

	# to Prison	Cost per year	Total Cost of Prison (includes 2% inflation per year starting in year 2)	Change in number of Probation and Parole Officers	Probation and Parole Officer II Cost per year (includes PS, fringe, E&E and inflation)	Grand Total Prison and Probation	# of Offenders to/from Probation & Parole
Year 1 (10 months)	0.0	(\$6,206)	\$0	0	\$0	\$0	101
Year 2 (includes 2% inflation)	0.0	(\$6,206)	\$0	0	\$0	\$0	101

Year 3 (includes 2% inflation)	0.0	(\$6,206)	\$0	0	\$0	\$0	101
Year 4 (includes 2% inflation)	0.0	(\$6,206)	\$0	0	\$0	\$0	101
Year 5 (includes 2% inflation)	0.0	(\$6,206)	\$0	0	\$0	\$0	101
Year 6 (includes 2% inflation)	0.0	(\$6,206)	\$0	0	\$0	\$0	101
Year 7 (includes 2% inflation)	0.0	(\$6,206)	\$0	0	\$0	\$0	101
Year 8 (includes 2% inflation)	0.0	(\$6,206)	\$0	0	\$0	\$0	101
Year 9 (includes 2% inflation)	0.0	(\$6,206)	\$0	0	\$0	\$0	101
Year 10 (includes 2% inflation)	0.0	(\$6,206)	\$0	0	\$0	\$0	101

Officials at the **Office of the State Courts Administrator** assume there may be some impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

ASSUMPTION (continued)

Officials at the **Department of Health and Senior Services**, the **Department of Mental Health**, the **Department of Social Services**, the **Missouri State Employee Retirement System**, the **Department of Revenue**, the **Office of the State Treasurer**, the **Missouri Department of Transportation**, the **Department of Public Safety's Missouri Highway Patrol**, the **Missouri National Guard** and the **Veterans Commission** and the **Office of Prosecution Services** each assume no fiscal impact to their respective agencies from this proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2019 (10 Mo.)	FY 2020	FY 2021
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2019 (10 Mo.)	FY 2020	FY 2021
	<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

Office of the State Courts Administrator  
Department of Corrections  
Department of Health and Senior Services  
Department of Mental Health  
Department of Social Services  
Missouri State Employee Retirement System  
Department of Revenue  
Office of the State Treasurer  
Missouri Department of Transportation  
Department of Public Safety  
    Missouri Highway Patrol  
    Missouri National Guard  
    Veterans Commission  
Office of Prosecution Services

Ross Strope



Acting Director  
March 12, 2018