

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1004-01
Bill No.: HB 547
Subject: Veterans; Courts
Type: Original
Date: February 11, 2019

Bill Summary: This proposal requires each judicial circuit to establish a treatment court.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
General Revenue	(Could exceed \$177,110)	(Could exceed \$177,110)	(Could exceed \$177,110)
Total Estimated Net Effect on General Revenue	(Could exceed \$177,110)	(Could exceed \$177,110)	(Could exceed \$177,110)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
Drug Court Resources Fund (0733)*	\$0	\$0	\$0
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

*Distribution increases (decreases) net to zero.
 Numbers within parentheses: () indicate costs or losses.
 This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
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 2020	FY 2021	FY 2022
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials at the **Office of the State Courts Administrator (OSCA)** assume the proposed legislation requires each judicial circuit to establish a treatment court.

Currently there are 45 out of 46 circuits currently providing treatment courts services with an estimated projection of 7,420 participants in FY 2019. While not all circuits have veterans treatment courts, veterans can participate in adult treatment courts. Potential treatment court participants may also utilize a treatment court in a nearby county when there is not a treatment court in their own county

Based upon FY 2018 expenditures for treatment courts using Treatment Court Resources Fund, cost per participant is \$1,739. There are many other factors that affect the operating costs associated with establishing and maintaining treatment courts which vary from county to county throughout the state.

Oversight notes that §478.001.2 changes the word “may” to “shall” in this proposal. This section also states “A treatment court division shall be established by any circuit court...” A treatment court division is explained in §478.001.1(12) as including, but are not limited to, the following specialized courts: adult treatment courts, DWI court, family treatment court, juvenile treatment court, veterans treatment court, or any combination thereof.

According to OSCA’s FY19 budget under section 12.370, \$7,969,981 is appropriated for funding treatment programs by being transferred in from the General Revenue Fund into the Drug Court Resources Fund (0733). The \$7,969,981 is for 45 circuits which averages out to \$177,110 per treatment court (\$7,969,981/45 circuits). Because **Oversight** is unclear on the additional expenditures that may be needed (infrastructure, equipment, etc.), Oversight will reflect a cost that could exceed \$177,110 each year transferred out of the General Revenue Fund and netting to zero by the transferring into the Drug Court Resources Fund.

<u>FISCAL IMPACT - State Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
GENERAL REVENUE FUND			
<u>Transfer Out</u> - to the Drug Court Resources Fund	(Could exceed <u>\$177,110</u>)	(Could exceed <u>\$177,110</u>)	(Could exceed <u>\$177,110</u>)
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	(Could exceed <u>\$177,110</u>)	(Could exceed <u>\$177,110</u>)	(Could exceed <u>\$177,110</u>)
DRUG COURT RESOURCES FUND			
<u>Transfer In</u> - from General Revenue	Could exceed \$177,110	Could exceed \$177,110	Could exceed \$177,110
<u>Cost</u> - to establish a treatment court division in the 43rd circuit	(Could exceed <u>\$177,110</u>)	(Could exceed <u>\$177,110</u>)	(Could exceed <u>\$177,110</u>)
ESTIMATED NET EFFECT ON THE DRUG COURT RESOURCES FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
	<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

Currently, treatment court divisions oversee veterans treatment courts, adult treatment courts, DWI courts, family treatment courts, and juvenile treatment courts. This bill would require each circuit court to establish a treatment court division.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

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SOURCES OF INFORMATION

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