

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1004-02
Bill No.: Perfected HCS for HB 547
Subject: Veterans; Courts
Type: Original
Date: March 5, 2019

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

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
General Revenue	(Could exceed \$3,068,349)	(Could exceed \$3,068,349)	(Could exceed \$3,068,349)
Total Estimated Net Effect on General Revenue	(Could exceed \$3,068,349)	(Could exceed \$3,068,349)	(Could exceed \$3,068,349)

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 6 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	(Unknown)	(Unknown)	(Unknown)

FISCAL ANALYSIS

ASSUMPTION

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

Oversight also notes subsection 478.001.7 states that circuits shall establish a veterans treatment court and removes the option of a combination of circuits establishing a veterans treatment court. However, language in the bill also states that if it is not feasible to establish a veterans treatment court, for lack of resources, the court may refer veterans to any existing court until the resources are obtained.

ASSUMPTION (continued)

OSCA currently has 12 veterans’ treatment courts in Missouri. The following chart lists the circuit number, location and the FY 19 Drug Court Resources Funding Request (0733) for each of those circuits from OSCA’s FY2020 Budget Request:

<u>CIRCUITS</u>		FY 19 Drug Court Resources Funding <u>Request</u>
7	Clay	\$ 131,198
11	St. Charles	\$ 144,381
13	Boone, Callaway	\$ 60,008
16	Jackson	\$ 31,731
19	Cole	\$ 16,200
21	St. Louis	\$ 49,272
23	Jefferson	\$ 126,000
25	Pulaski	\$ 78,000
29	Jasper	\$ 58,000
31	Greene	\$ 101,640
36	Butler	\$ 89,397
39	Lawrence, Stone	\$ 197,120
	TOTAL	\$ 1,082,947

Average Request per Circuit \$ 90,246

Additional request needed to fund the other 34 circuits \$ 3,068,349

The total budget request for the 12 veterans’ treatment courts for FY19 was \$1,082,947. Therefore, the average cost per veterans treatment court is \$90,246. This proposal requests a treatment court for each circuit. Therefore, 34 additional circuits at \$90,246 per circuit would cost approximately \$3,068,349 to fund. Because Oversight is unclear on the additional expenditures that may be needed (infrastructure, equipment, etc.), Oversight will reflect a cost that could exceed \$3,068,349 each year transferred out of the General Revenue Fund and netting to zero by the transferring into the Drug Court Resources Fund.

ASSUMPTION (continued)

House Amendment #1

Officials at the **Office of the State Courts Administrator (OSCA)** assume the amendment will not change OSCA's previous response to this proposal.

Oversight assumes this amendment will establish a treatment court division and a veterans treatment court prior to August 28, 2021. Oversight also assumes this amendment will also give preference to individuals who have combat service. Oversight assumes this amendment will have no additional fiscal impact to the note and will reflect the perfected version as stated below.

<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>\$3,068,349</u>)	(Could exceed <u>\$3,068,349</u>)	(Could exceed <u>\$3,068,349</u>)
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	(Could exceed <u>\$3,068,349</u>)	(Could exceed <u>\$3,068,349</u>)	(Could exceed <u>\$3,068,349</u>)
DRUG COURT RESOURCES FUND			
<u>Transfer In</u> - from General Revenue	Could exceed \$3,068,349	Could exceed \$3,068,349	Could exceed \$3,068,349
<u>Cost</u> - to establish a treatment court division in the 34 circuits currently without one	(Could exceed <u>\$3,068,349</u>)	(Could exceed <u>\$3,068,349</u>)	(Could exceed <u>\$3,068,349</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
COUNTIES			
<u>Costs</u> - for veterans treatment courts in 34 circuits currently without one	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT TO COUNTIES	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

This bill would require each circuit court to establish a veterans' treatment court.

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



Kyle Rieman
Director
March 5, 2019

Ross Strope
Assistant Director
March 5, 2019