

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO.: 2553-01
BILL NO.: SB 680
SUBJECT: Courts; Criminal Procedure
TYPE: Original
DATE: January 31, 2000

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
 This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator (CTS)** assume the proposed legislation would impose criminal trial standards of 90 days for incarcerated defendants and 120 days for those out on bail. CTS would not expect any change in the volume of criminal cases as a result of the proposal. After a period of adjustment, judge time could be made available. CTS assumes there may be costs associated with the need for very quick turnaround on various notices, subpoenas and processes. Specifically, CTS assumes there is a chance that the short time frame could result in more requests for jury trials. CTS assumes that the major impact would fall upon prosecutors, public defenders, the private bar and law enforcement. The impact upon the courts would depend upon how the parties implement the proposal. CTS officials assume their agency could request increased funding in future budgetary requests if the proposal resulted in a significant increase in staffing requirements or other increased costs to the judiciary.

Officials from the **Department of Public Safety – Missouri State Highway Patrol and Missouri State Water Patrol**, the **Office of Prosecution Services**, the **Office of the State Public Defender**, the **Department of Corrections**, and the **Office of the Attorney General** assume the proposal would have no fiscal impact on their agencies.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	\$0	\$0	\$0

<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	\$0	\$0	\$0

FISCAL IMPACT - Small Business

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

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DESCRIPTION

The proposal would amend the time provisions for a speedy trial after indictment. The proposal would repeal current provisions referring to terms of court and replace them with a definite time frame. Under the proposal a person who is held in prison would have to be brought to trial within 90 days after indictment, and a person who is released on bail would have to be tried within 120 days of indictment. If the time frame is exceeded, then the defendant would be entitled to dismissal of the charges, unless the delay is requested by the defendant or is due to lack of time for trial.

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 State Courts Administrator
Department of Public Safety – Missouri State Highway Patrol and Missouri State Water Patrol
Office of Prosecution Services
Office of the State Public Defender
Office of the Attorney General
Department of Corrections



Jeanne Jarrett, CPA
Director
January 31, 2000