

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO. 3144-03
BILL NO. SCS for SB 1043, 1031, 580 & 671
SUBJECT: Theft of Transportation of Property Service
TYPE: Original
DATE: April 7, 2000

FISCAL SUMMARY

| ESTIMATED NET EFFECT ON STATE FUNDS | | | |
|---|------------------|------------------|------------------|
| FUND AFFECTED | FY 2001 | FY 2002 | FY 2003 |
| General Revenue | (Minimal) | (Minimal) | (Minimal) |
| | | | |
| Total Estimated Net Effect on <u>All</u> State Funds * | (Minimal) | (Minimal) | (Minimal) |

* Costs expected to be less than \$100,000 annually.

| 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 4 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Prosecution Services, Department of Transportation,** and the **Department of Public Safety - Missouri Highway Patrol** assume the proposed legislation would have no fiscal impact on their agency.

In response to a similar proposal, officials from the **Department of Corrections (DOC)** stated they cannot predict the number of new commitments which may result from the creation of the offense(s) outlined in this proposal. An increase in commitments depends on the utilization by prosecutors and the actual sentences imposed by the court. If additional persons are sentenced to the custody of the DOC due to the provisions of this legislation, the DOC will incur a corresponding increase in operational costs either through incarceration (average of \$35.61 per inmate, per day) or through supervision provided by the Board of Probation and Parole (average of \$2.47 per offender, per day).

The following factors contribute to DOC's minimal assumption:

- 1) DOC assumes the narrow scope of the crime will not encompass a large number of offenders,
- 2) The probability exists that offenders would be charged with a similar and/or more serious offense.

Supervision by the DOC through probation or incarceration would result in some additional costs, but it is assumed that the impact would be \$0 or a minimal amount that could be absorbed within existing resources.

The need for additional capital improvements is not anticipated at this time. It must be noted that the cumulative effect of various new legislation, if adopted, could result in the need for additional capital improvements funding if the total number of new offenders exceeds current planned capacity.

Officials from the **Office of State Courts Administrator** assume they have no way to project the increased number of criminal prosecutions which may result. If a significant number of additional prosecutions occur, there would be a corresponding budget impact.

In response to a similar proposal, officials from the **Office of State Public Defender** assumed they currently provide representation for these cases under the stealing statute. There may be more cases arising where indigent persons were charged with theft of services. However passage of more than one similar bill would require the State Public Defender System to request increased appropriations to cover cumulative cost of representing the indigent accused in the

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additional cases.

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

GENERAL REVENUE FUND

Costs - Department of Corrections

| | | | |
|---|------------|------------|------------|
| Per diem costs for increase in prison or probation population | (Minimal)* | (Minimal)* | (Minimal)* |
|---|------------|------------|------------|

* Costs expected to be less than \$100,000 annually.

| <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 on small businesses would be expected due to this proposal.

DESCRIPTION

The proposed legislation creates the crime of “theft of transportation of property service”. The proposal provides that stolen property is presumed to have a value of less than \$550 if the value cannot be ascertained as otherwise provided in the statute, lowers the threshold for certain felony theft, creates new stealing offenses, and increases the level of misdemeanor stealing from \$150 to \$500.

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

Office of State Courts Administrator
Department of Corrections
Office of Prosecution Services
Office of State Public Defender
Department of Transportation
Department of Public Safety
Missouri Highway Patrol

NOT RESPONDING: Office of Attorney General

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is written in a cursive style with a large initial "J".

Jeanne Jarrett, CPA
Director
April 7, 2000