

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2142-01
Bill No.: SB 585
Subject: Victims of Crime; Criminal Procedure; County Government; Cities, Towns, and Villages; Department of Labor and Industrial Relations; Department of Public Safety
Type: Original
Date: May 8, 2001

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Crime Victims' Compensation Fund	\$0 to \$5,063,686	\$0 to \$4,763,570	\$0 to \$5,055,127
Total Estimated Net Effect on <u>All</u> State Funds	\$0 to \$5,063,686	\$0 to \$4,763,570	\$0 to \$5,055,127

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Victims of Crime Act Grant*	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

***Unknown offsetting revenues and expenditures.**

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the State Treasurer, Department of Highway & Transportation, Department of Revenue**, and the **Office of the State Auditor** assume the proposed legislation would have no fiscal impact on their agencies.

In response to a similar proposal (HB 831), officials from the **Department of Labor and Industrial Relations** assume the proposed legislation would have no fiscal impact on their agency.

Officials from the **Office of State Courts Administrator (CTS)** assume available data on collections into the Crime Victims' Compensation Fund will not permit a precise estimate of potential increased revenues. In FY 2000, the Fund had revenues of \$5,362, 831. Since some of the higher surcharges on lower-volume cases are not changed, it is not feasible to make a precise estimate of increased revenues. As there is only a modest change in the amount of an existing surcharge, CTS assumes there would be no appreciable change in the administrative cost of collection within the judiciary.

In response to a similar proposal (HB 831), officials from the **Department of Public Safety (DPS)** assume the Victim Information and Notification System (VINES) will be developed. The expenses related to the implementation of the VINES system will need to be determined by DPS. Federal funds from the Victims of Crime Act may be utilized for implementation and startup costs of VINES. Without a formal plan and agreement, the implementation and startup costs for VINES cannot be estimated with accuracy. Ongoing personnel costs, computer maintenance and upgrade costs, etc., for the VINES system would have to be supported by the revenue collected from the \$5 court cost.

REVENUES

DPS estimated that the current \$5 fee results in approximately \$3 million in annual revenue. Therefore, the \$5 increase in court costs could result in potentially similar revenue collections. These funds would be used to support the Office of the Victims of Crime.

Oversight assumes the DPS estimate of receipts is based on their part of total court costs distributed, and has used the CTS estimate of revenues for this fiscal note.

ASSUMPTION (continued)

EXPENDITURES

DPS estimates it would require 5 FTE plus equipment and expenses, as follows:

Category	FY 2002 (10 months)	FY 2003	FY 2004
Salaries (5 FTE)	\$172,620	\$212,323	\$217,631
Benefits	\$57,534	\$70,767	\$72,536
Equipment	\$58,963	\$8,325	\$8,325
Expense	\$104,310	\$43,760	\$43,760
Total	\$393,427	\$335,175	\$342,252

Oversight has reduced these estimates in accordance with OA guidelines for equipment and expense, and has reduced the amounts estimated for office rent, renovations, offsite computer connections, copier, fax, and utilities assuming the relatively limited number of new staff can be located in existing facilities.

Oversight assumes the costs and benefits of the proposed VINES system would be investigated and the system established only if the benefits justify the costs and the system is considered economically and operationally feasible. Oversight assumes the court cost increase proposed, supplemented by any federal funding which would be available, would be adequate to fund the VINES system. Therefore, Oversight has shown the cost of the system as unknown but assumed to be less than funding available from the court fee increase.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
CRIME VICTIMS' COMPENSATION FUND			
<u>Revenues - DPS</u>			
Court cost increase	\$5,362, 831	\$5,362, 831	\$5,362, 831
<u>Cost - DPS</u>			
Personal Service*	(\$172,620)	(\$212,323)	(\$217,631)
Fringe Benefits*	(\$57,534)	(\$70,767)	(\$72,536)
Equipment*	(\$52,461)	\$0	\$0
Expense*	(\$16,530)	(\$17,026)	(\$17,537)
Statewide victim notification system**	(Unknown)	(Unknown)	(Unknown)
Total cost **	(\$299,145 to <u>\$5,362,831</u>)	(\$599,261 to <u>\$5,362,831</u>)	(\$307,704 to <u>\$5,362,831</u>)

ESTIMATED NET EFFECT ON CRIME VICTIMS' COMPENSATION FUND	<u>\$0 to \$5,063,686</u>	<u>\$0 to \$4,763,570</u>	<u>\$0 to \$5,055,127</u>
---	--------------------------------------	--------------------------------------	--------------------------------------

* subject to appropriation
 ** assumed to be less than court fee
 funding available

FEDERAL FUNDS

<u>Revenue - DPS</u>			
Victims of Crime Act Grant	Unknown	Unknown	Unknown
<u>Expenditures - DPS</u>			
Statewide victim notification system	(Unknown)	(Unknown)	(Unknown)

ESTIMATED NET EFFECT ON FEDERAL FUNDS	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
--	-------------------	-------------------	-------------------

<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	<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.

DESCRIPTION

This proposal would increase the fee for the Crime Victims Compensation Fund from five to ten dollars, to be assessed in all adult and juvenile criminal cases.

This proposal would create an office for victims of crime, funded by the increase in court fees. Under existing law, a transfer of \$250,000 is required to support the operation of the state forensic laboratory. From the balance of court fees, the proposal would mandate an annual appropriation for the administrative and operational costs of the office for victims of crime. The office would coordinate and promote the state's program for victims of crime and provide channels of communication among public and private agencies and in exercising the rights afforded to crime victims. In the event of a catastrophic crime the office would develop and coordinate the implementation of a response plan to meet the needs of any victims of that crime.

The office for victims of crime would assess and report to the governor the costs and benefits of establishing a statewide automated crime victim notification system within the criminal justice system and serve as the coordinating agency for the development, implementation and maintenance of any such system. The proposal would mandate an annual appropriation for the monthly payment of expenditures actually incurred in the operation of such system.

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 Treasurer
Department of Highway and Transportation
Office of the State Auditor
Department of Revenue
Office of State Courts Administrator
Department of Public Safety

NOT RESPONDING: Department of Corrections



Jeanne Jarrett, CPA
Director

May 8, 2001