

COMMITTEE ON LEGISLATIVE RESEARCH
 OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2597-03
Bill No.: HCS for SCS for SB 645
Subject: Counties: Jail Districts
Type: Original
Date: April 15, 2002

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
General Revenue	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
Total Estimated Net Effect on <u>All</u> State Funds	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
Local Government	\$0	\$0	\$0

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

FISCAL ANALYSIS

ASSUMPTION

Sections 221.407 & 221.425:

Officials of the **Department of Revenue (DOR)** officials stated that the MITS system would need minor program changes in order to recognize (create boundaries, shape files) the new district and distribute the taxes collected. The program changes would require 692 hours of programming at a total cost of \$23,085. The State Data Center cost to implement the proposed legislation would be \$4,500 for a total cost of \$27,585. The DOR would collect the tax and would retain a 1% collection fee which would be deposited in the State's General Revenue Fund. The amount of revenue that would be generated by the collection cannot be estimated and is unknown.

Officials of the **Office of the Daviess County Clerk** stated that this proposal is enabling legislation and would have no impact. However, if a Jail District Commission would place the question of a sales tax to the voters, their would be election costs which would not exceed \$1,000.

Oversight assumes this is enabling legislation and would have no fiscal impact to state funds or to local government without action by the appropriate governing body, and with voter approval. For purposes of this fiscal note Oversight will show fiscal impact as though a Jail District sales tax were approved.

Section 217.305:

Department of Mental Health officials assume this proposal would have no fiscal impact to their department.

Office of State Courts Administrator officials assume no fiscal impact to the State's Courts.

Department of Corrections officials assume the proposal modifies the information required for delivery of prisoners to correctional facilities. The proposal has no fiscal impact for the Department of Corrections. If passed into law, the proposal would have a positive operational impact in that it provides for a better continuity of medical care for offenders when they are delivered to the department.

ASSUMPTION (continued)

Office of Prosecution Services officials assume there would be no fiscal impact to the State's Prosecutors.

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
GENERAL REVENUE FUND			
Income to Department of Revenue from 1% collection fee	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
Cost to Department of Revenue from programming costs	<u>\$0 or (\$27,585)</u>	<u>\$0</u>	<u>\$0</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
CERTAIN LOCAL GOVERNMENTS			
Income to Certain Jail Districts from sales tax of up to one-half of one percent	Unknown	Unknown	Unknown
Cost to Certain Jail Districts Operations and election costs	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT ON LOCAL GOVERNMENTS*	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

*** Oversight assumes this proposal is enabling legislation. Jail Districts whose governing body would submit to the voters the question of implementing a local sales tax would have election costs. Oversight assumes that costs would not exceed income resulting in either an annual zero or positive fund balance. For purposes of this fiscal note fund balance is shown as zero.**

FISCAL IMPACT - Small Business

Small business located within a Regional Jail District that would receive voter approval to impose a sales tax would expect to be fiscally impacted to the extent that they would collect and pay the sales tax .

DESCRIPTION

Sections 221.407 & 221.425:

Regional jail district commissioners of a district located in Caldwell County, DeKalb County or Daviess County are authorized to place a sales tax on retail sales in the district of 1/8th, 1/4th, 3/8ths, or 1/2 of one percent on the ballot which will provide funding for jail services, jail facilities, court facilities and equipment. The tax requires approval of a majority of voters in the district.

No public funds can be used to pay a private company to manage, staff or control the operations of any new jail or prison. This act would not apply to any private facility in operation on or before August 28, 2002.

The provisions of this act would expire on September 30, 2015.

Section 217.305:

This act revises the information that must be provided to the department of corrections when an inmate is delivered to the department, including: a certified copy of the sentence as well as information on the statutes violated and restitution owed to the victim, written information from the prosecutor regarding the victims of the crime, the offender's home environment, any gang affiliations, and certain information about the offender's physical and mental health.

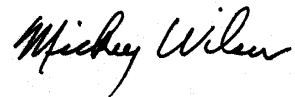
The department may refuse to accept any offender who is delivered without all required information.

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

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Office of State Courts Administrator
Department of Mental Health
Department of Revenue
Department of Corrections
Office of Prosecution Services
Daviess County Clerk

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive style with a large initial "M".

Mickey Wilson, CPA
Acting Director
April 15, 2002