

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2747-01
Bill No.: SB 721
Subject: Crimes and Punishment; Evidence; Law Enforcement Officers and Agencies.
Type: Original
Date: December 31, 2001

FISCAL SUMMARY

| ESTIMATED NET EFFECT ON STATE FUNDS | | | |
|---|------------------------------|------------------------------|------------------------------|
| FUND AFFECTED | FY 2003 | FY 2004 | FY 2005 |
| General Revenue | (Less than \$100,000) | (Less than \$100,000) | (Less than \$100,000) |
| | | | |
| Total Estimated Net Effect on <u>All</u> State Funds | (Less than \$100,000) | (Less than \$100,000) | (Less than \$100,000) |

| ESTIMATED NET EFFECT ON FEDERAL FUNDS | | | |
|---|------------|------------|------------|
| FUND AFFECTED | FY 2003 | FY 2004 | FY 2005 |
| None | | | |
| | | | |
| 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 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Transportation, Office of the State Courts Administrator** and the **Department of Public Safety - Missouri Highway Patrol** each assume this proposal would not fiscally impact their respective agencies.

In response to similar legislation from last year, officials from the **Office of the State Public Defender** assumed that existing staff could provide representation for those 25-50 cases arising where indigent persons were charged with failure to stop for a law enforcement officer, and the 10-25 cases arising where indigent persons were charged with failure to change lanes when an emergency vehicle is stopped. However, passage of more than one similar bill would require the State Public Defender System to request increased appropriations to cover the cumulative cost of representing the indigent accused in the additional cases.

Officials from the **Office of Prosecution Services (OPS)** assumes that the cost to prosecutors is estimated not to exceed \$100,000.

Oversight assumes officials from OPS could prosecute infractions of the proposed legislation with existing resources.

Officials from the **Department of Corrections** did not respond to our request for fiscal impact. However, **Oversight** assumes the proposal could result in more offenders being placed on probation. Additional costs for supervision and care by the Department of Corrections cannot be determined, but would likely be less than \$100,000 annually.

| <u>FISCAL IMPACT - State Government</u> | FY 2003 (10 Mo.) | FY 2004 | FY 2005 |
|---|---|---|---|
| GENERAL REVENUE FUND | | | |
| <u>Cost</u> - Department of Corrections Probation or incarceration costs | (Less than <u>\$100,000</u>) | (Less than <u>\$100,000</u>) | (Less than <u>\$100,000</u>) |
| ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND | LESS THAN <u>(\$100,000)</u> | LESS THAN <u>(\$100,000)</u> | LESS THAN <u>(\$100,000)</u> |

FISCAL IMPACT - Local Government

FY 2003
(10 Mo.)

FY 2004

FY 2005

\$0

\$0

\$0

FISCAL IMPACT - Small Business

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

DESCRIPTION

This proposal requires drivers to take certain actions, including yielding the right-of-way when possible, when an emergency vehicle is approaching.

Current Missouri law requires drivers to obey traffic-related signals and directions given by members of the Missouri Highway Patrol (Section 43.170, RSMo). Failure to follow such direction is a misdemeanor offense. This proposal extends the reach of the current law by also requiring drivers to obey signals and directions given by sheriffs and deputy sheriffs.

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

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

NOT RESPONDING: **Department of Corrections, Boone County Sheriff,
Greene County Sheriff**



Jeanne Jarrett, CPA
Director
December 31, 2001