

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3181-01  
Bill No.: SB 757  
Subject: Office of Administration; Health Care; Disabilities; Public Safety.  
Type: Original  
Date: January 16, 2002

**FISCAL SUMMARY**

| <b>ESTIMATED NET EFFECT ON STATE FUNDS</b>                          |            |            |            |
|---|------------|------------|------------|
| FUND AFFECTED   | FY 2003    | FY 2004    | FY 2005    |
| Head Injury Fund *  | \$0        | \$0        | \$0        |
|   |            |            |            |
| <b>Total Estimated<br/>Net Effect on <u>All</u><br/>State Funds</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> |

\* Offsetting revenue and expenditures of roughly \$888,750 per year.

| <b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>                          |            |            |            |
|---|------------|------------|------------|
| FUND AFFECTED   | FY 2003    | FY 2004    | FY 2005    |
| None  |            |            |            |
|   |            |            |            |
| <b>Total Estimated<br/>Net Effect on <u>All</u><br/>Federal Funds</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> |

| <b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b> |            |            |            |
|--|------------|------------|------------|
| FUND AFFECTED                              | FY 2003    | FY 2004    | FY 2005    |
| <b>Local Government</b>                    | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> |

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 4 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Revenue (DOR)** state that information contained on their Missouri Driver License System (MODL) indicates an average of 130,178 state speeding convictions per year and 18,750 intoxication-related offenses entered per year. Therefore, DOR estimates an additional \$372,320 in new funding each year to the Head Injury Fund.

|         |                  |  |
|---------|------------------|--|
|         | 130,178          | State Speeding Convictions                                     |
| + _____ | <u>18,750</u>    | Intoxication Related Convictions                               |
|         | 148,928          | Total Convictions  |
| x       | <u>\$2.50</u>    | Additional Fine for Head Injury Council per traffic conviction |
|         | <u>\$372,320</u> | Anticipated new funding for Head Injury Fund                   |

DOR states it should be noted that speeding convictions where the operator was driving 5 m.p.h. or less over the posted speed limit are **not** recorded on DOR's records as these convictions are not point assessable. DOR assumes the number of speeding convictions not sent to their agency due to the speed cap limit is unknown and could be significant.

Officials from the **Office of the State Courts Administrator (CTS)** state in FY 2000, there were approximately 320,000 traffic violations that could be assessed the \$2.50 surcharge, and more than 16,000 intoxication-related guilty pleas. Thus, there is the potential for a total of \$700,000 (10/12ths) in the first year and \$840,000 ((320,000 + 16,000) x \$2.50) in subsequent years. However, CTS assumes that some of the surcharges will never be collected, so there is no way to accurately estimate the potential income to the fund. If enacted, CTS would include the surcharge requirement in the statewide court automation software and, as courts come upon that system, CTS would have the ability to track, collect and disburse the fee.

In response to similar legislation from last year, CTS reported that in FY 1999, there were approximately 357,000 traffic violations and almost 18,000 intoxication-related guilty pleas that could be assessed the surcharge. Averaging FY 1999 and FY 2000, **Oversight** assumes there will be 355,500 violations that would be assessed the \$2.50 surcharge resulting in roughly \$888,750 (355,500 x \$2.50) in revenue to the Head Injury Fund. Oversight assumes a one-month delay between the first fees assessed and deposited with the State Treasurer, therefore, the fiscal note reflects only nine months of revenue in FY 2003.

|                |                              |
|----------------|------------------------------|
| 2003 -         | \$888,750 x 9/12 = \$666,563 |
| 2004 and 2005- | \$888,750                    |

ASSUMPTION (continued)

Officials from the **Office of Administration - General Services Division (COA)** state this proposal would provide for a funding source for services which would be administered by the Missouri Head Injury Advisory Council, which is advisory to all agencies providing services to individuals with traumatic brain injuries and their families. The COA states the Missouri Head Injury Advisory Council staff and related expenses has been a core budget item since 1986 and is officed in the Truman State Office Building. COA deferred to the revenue estimates provided by DOR. COA states that if this proposal is enacted, they would use the proceeds to contract for the services stated in the proposal.

**Oversight** assumes the COA would utilize all of the proceeds generated from this proposal in the year it is received by the State Treasurer.

Officials from the **State Treasurer's Office, Department of Transportation, Department of Health and Senior Services,** and the **Department of Public Safety - Missouri Highway Patrol** each assume this proposal would not fiscally impact their respective agencies.

| <u>FISCAL IMPACT - State Government</u>   | FY 2003<br>(10 Mo.) | FY 2004            | FY 2005            |
|---|---------------------|--------------------|--------------------|
| <b>HEAD INJURY FUND</b>   |                     |                    |                    |
| <u>Revenue</u> - judgements from speed limit offenses and intoxication-related offenses | <u>\$666,563</u>    | <u>\$888,750</u>   | <u>\$888,750</u>   |
| <u>Costs</u> - Missouri Head Injury Advisory Council*                                   | <u>(\$666,563)</u>  | <u>(\$888,750)</u> | <u>(\$888,750)</u> |
| <b>ESTIMATED NET EFFECT TO THE HEAD INJURY FUND</b>                                     | <b><u>\$0</u></b>   | <b><u>\$0</u></b>  | <b><u>\$0</u></b>  |

**\* Subject to Appropriation**

| <u>FISCAL IMPACT - Local Government</u> | FY 2003<br>(10 Mo.) | FY 2004           | FY 2005           |
|---|---------------------|-------------------|-------------------|
|   | <b><u>\$0</u></b>   | <b><u>\$0</u></b> | <b><u>\$0</u></b> |

FISCAL IMPACT - Small Business

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

### DESCRIPTION

This proposal creates the "Head Injury Fund" for use by the Missouri Head Injury Advisory Council. A new section 304.028, creates the Fund for the receipt of judgments, grants, private donations, and other moneys. Such funds will be used for the integration of medical, social, and educational services and for outreach to individuals with traumatic head injury and their families. Unexpended balances will not transfer to general revenue. This section also adds a \$2.50 fine for persons violating the speed limit or for persons convicted of an intoxication-related offense. Such fines will be deposited into the Head Injury Fund.

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  
Office of the State Courts Administrator  
Department of Revenue  
Department of Transportation  
Office of Administration  
Department of Health and Senior Services  
Department of Public Safety - Missouri Highway Patrol



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