

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

LR No.: 3789-01
Bill No.: HB 1249
Subject: Elections: Campaign Finance
Type: Original
Date: February 23, 2004

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

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

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Oversight assumes there would be substantial compliance with the law and the **Office of Attorney General** would have no fiscal impact.

Officials of the **Missouri Ethics Commission** assume no fiscal impact.

Officials of the **Office of Secretary of State - Administrative Rules** stated this proposal gives authority to the Mo. Ethics Commission to promulgate rules to enact this legislation. These rules could require as many as approximately 8 pages in the Code of State Regulations. These rules would be published in both the Missouri Register and Code of State Regulations. The estimated cost of a page in the Missouri Register is \$23, and the estimated cost of a page in the Code of State Regulations is \$27. The actual cost could be more. Officials assume cost is unknown.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

ASSUMPTION (continued)

Officials of the **Department of Corrections** stated this proposal changes certain penalty provisions from a misdemeanor to a class D felony. Officials assume this provision could have potential impact for the Department.

Currently, the DOC cannot predict the number of new commitments which may result from the creation of the offenses(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 cost either through incarceration (FY03 average of \$38.10 per inmate, per day or an annual cost of \$13,907 per inmate) or through supervision provided by the Board of Probation and Parole (FY03 average of \$3.15 per offender, per day or an annual cost of \$1,150 per offender).

The following factors contribute to DOC's minimal assumption:

DOC assumes the narrow scope of the crime will not encompass a large number of offen

The low felony status of the crime enhances the possibility of plea-bargaining or imposition of a probation sentence

The probability exists that offenders would be charged with a similar but more serious offense or that sentences may run concurrent to one another

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

Officials of the **Office of State Court Administrator** assume no fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	\$0	\$0	\$0

FISCAL IMPACT - Local Government

FY 2005
(10 Mo.)

FY 2006

FY 2007

\$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 bill makes several changes to the laws regarding campaign finance disclosure reports. In its main provisions, the bill:

- (1) Requires certain complaints regarding campaign finance disclosure report violations to be filed within 30 days of the filing of the report;
- (2) Increases the penalty for filing a complaint without just cause from a class A misdemeanor to a class D felony;
- (3) Requires persons requesting to inspect or copy disclosure reports to provide photo identification; and
- (4) Permits the Missouri Ethics Commission to assess reasonable investigation and defense costs against persons filing complaints when the commission finds the complaints to be motivated by malice or reasons contrary to the spirit of the law.

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 Secretary of State
Office of State Courts Administrator
Missouri Ethics Commission
Department of Corrections

NOT RESPONDING

Office of the Attorney General

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Director
February 23, 2004