

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3814-01
Bill No.: HB 1075
Subject: Crimes and Punishment; Law Enforcement Officers and Agencies
Type: Original
Date: February 6, 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 4 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

Officials from the **Department of Public Safety – Missouri State Highway Patrol, – Capitol Police, – Missouri State Water Patrol**, and the **Jefferson City Police Department** assume the proposed legislation would have no fiscal impact on their agencies.

Officials from the **Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on the courts.

Officials from the **Office of Prosecution Services** assume prosecutors could absorb the costs of the proposed legislation within existing resources.

Officials from the **Office of State Public Defender (SPD)** the proposed legislation will increase the number of SPD cases. A 36-hour hold vs. a 20-hour hold will allow the prosecutor more time to file charges, which would increase the SPD caseload.

Oversight assumes the SPD could experience an increase in case load due to the proposed legislation. Oversight assumes they could absorb the cost of the increased case load within existing resources. If the SPD experiences an increase that would justify additional FTE, they could request funding through the appropriation process.

ASSUMPTION (continued)

Officials from the **Department of Corrections (DOC)** assume they could not predict the number of new commitments which could result from the creation of the offense(s) outlined in the proposal. An increase in commitments would depend on the utilization of prosecutors and the actual sentences imposed by the courts.

If additional persons were sentenced to the custody of the DOC due to the provisions of this legislation, the DOC would incur a corresponding increase in operational costs through supervision provided by the Board of Probation and Parole (FY 03 average \$3.15 per offender, per day, or an annual cost of \$1,150 per offender).

Supervision by the DOC through probation would result in some additional costs, but DOC officials assume that the impact would be \$0 or a minimal amount that could be absorbed within existing resources.

Oversight assumes there could be some increase in local jail populations as a result of this proposal. However, Oversight assumes this would be at the discretion of the political subdivisions and any fiscal impact to them should be minimal.

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

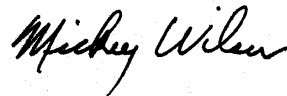
DESCRIPTION

The proposed legislation would authorize law enforcement agencies to hold a suspect for up to 36 hours without a warrant before charging the person with a crime. Current law allows suspects to be held for 24 hours when arrested for a class A felony, and for 20 hours when arrested for lesser offenses.

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 State Courts Administrator
Department of Corrections
Department of Public Safety
 – Missouri State Water Patrol
 – Capitol Police
 – Missouri State Highway Patrol
Office of Prosecution Services
Office of State Public Defender
Jefferson City Police Department



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Director
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