

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0506-01
Bill No.: HB 407
Subject: Crimes and Punishment; Drugs and Controlled Substances; Law Enforcement
Officers and Agencies
Type: Original
Date: February 21, 2005

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
General Revenue	(Less than \$100,000)	(Less than \$100,000)	(Less than \$100,000)
Total Estimated Net Effect on General Revenue Fund	(Less than \$100,000)	(Less than \$100,000)	(Less than \$100,000)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
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 2006	FY 2007	FY 2008
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Mental Health**, the **Department of Social Services**, the **Department of Public Safety - Missouri State Highway Patrol**, the **Office of State Courts Administrator**, the **State Public Defender**, and the **Department of Public Safety - Director's Office** assume this proposal would not fiscally impact their agencies.

Officials from the **Office of Prosecution Services (OPS)** assume this proposal would not have a significant direct fiscal impact on county prosecutors.

Officials from the **Department of Health and Senior Services (DOH)** assume this proposal would not fiscally impact their agency. The DOH states if an impact were to result, funds to support the program would be sought through the appropriations process.

Officials from the **Department of Corrections (DOC)** assume this proposal adds substances to the controlled substance schedules.

Currently, the DOC cannot predict the number of new commitments which may result from the addition of substances to the controlled substance schedule outlined in this proposal. An increase

ASSUMPTION (continued)

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 (FY04 average of \$38.37 per inmate per day, or an annual cost of \$14,005 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).

In summary, supervision by the DOC through probation or incarceration would result in additional unknown costs to the department. Eight (8) persons would have to be incarcerated per fiscal year to exceed \$100,000 annually. Due to the narrow scope of this new crime, DOC assumes the impact would be less than \$100,000 per year for their agency.

<u>FISCAL IMPACT - State Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
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GENERAL REVENUE

<u>Costs - Department of Corrections</u>			
Probation or Incarceration costs	<u>(Less than \$100,000)</u>	<u>(Less than \$100,000)</u>	<u>(Less than \$100,000)</u>

ESTIMATED NET EFFECT TO GENERAL REVENUE	<u>(Less than \$100,000)</u>	<u>(Less than \$100,000)</u>	<u>(Less than \$100,000)</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
	<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.

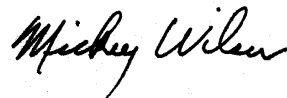
DESCRIPTION

This proposal makes pseudoephedrine a schedule II drug, available only by prescription. Schedule II drugs are substances which have an accepted medical use, have a high potential for abuse, and can lead to severe psychic or physical dependence.

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 Mental Health
Department of Public Safety -
 Director's Office
 Missouri State Highway Patrol
Office of State Courts Administrator
Office of Prosecution Services
Department of Social Services
Department of Health and Senior Services
Department of Corrections
State Public Defender



Mickey Wilson, CPA
Director
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