

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3847-01
Bill No.: HB 1298
Subject: Children and Minors; Crimes and Punishment
Type: Original
Date: April 3, 2006

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
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 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Prosecution Services**, the **Department of Public Safety**, the **Missouri State Highway Patrol**, the **Department of Corrections** and the **Office of State Courts Administrator** assume this proposal would not fiscally impact their agencies.

Officials from the **Office of Attorney General (AGO)** assume that any new cases that may be referred from the local prosecutors will be few and AGO can absorb any additional costs of this proposal with existing resources.

Officials from the **Department of Social Services - Division of Legal Services (DLS)** assume this proposal would not fiscally impact their agency.

Officials from the **Department of Social Services - Children's Division (CD)** state this proposal would expand the current list of professionals and individuals who work with children (listed in 210.115.1 RSMo.) as mandated to report child abuse or neglect to the hotline to "include any adult person who resides in the same household and witnesses the abuse or neglect or possible abuse or neglect of a child". The CD anticipates additional calls to the Child Abuse/Neglect Hotline, but is unable to determine how many.

ASSUMPTION (continued)

Because the CD anticipates additional child abuse/neglect reports, additional staff would be needed to respond to the rise in workload at the hotline and to investigate the calls in the field. CD states the number of staff needed is unknown, however only stree staff would result in a cost of over \$100,000.

CD states the computer system would need modification. CD estimates the cost of data modifications would be \$65,000.

Currently the CD conducts mandated reporter training at the request of mandated reporter groups and publishes material designed to inform mandated reporters of the reporting and investigation process as well as assist professionals in identifying signs and symptoms of child abuse or neglect. In 2000 the CD spent \$98,000 on 200 billboards for one month during the School Violence Hotline public information campaign. With 5.7 million Missouri residents, CD states the efforts to inform and educate the public would have to increase dramatically.

CD estimates the cost to be unknown, but over \$263,000.

Oversight agrees that there could be an increase in mandated reporter Child Abuse and Neglect hotline calls. However the existing mandated reporter statute required "...other person with responsibility for the care of children". In addition, existing RSMo 210.115.4 states in addition to mandated reporters, "any other person may report ... if such person has reasonable cause to suspect that a child has been or may be subjected to abuse or neglect....". **Oversight** notes a large number of adults are already mandated reporters that have direct responsibility with children such as teachers and daycare workers. **Oversight** assumes that while it is unknown whether or not calls will increase significantly, a small increase in calls could be absorbed by the CD. **Oversight** assumes should there be a large increase in calls, the CD could request additional funds through the appropriation process.

Officials from the **Office of State Public Defender** did not respond to our fiscal note request.

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Local Government

FY 2007
(10 Mo.)

FY 2008

FY 2009

\$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 establishes Erica's Law into Missouri's statutes. The proposal changes the elements for the crime of murder in the first degree when a child is the victim. A person commits the crime if he or she knowingly causes the death of a child and a heinous element is involved in the commission of the crime. A heinous crime includes torturing the victim; intentionally inflicting great bodily harm; intentionally mutilating; exposing the victim to extreme inhuman conditions; being armed with a dangerous weapon or any article used in a manner to lead the victim to reasonably believe it to be a dangerous weapon and the weapon is used to cause the victim to submit; having sexual penetration or sexual contact; or moving the victim from one location to another.

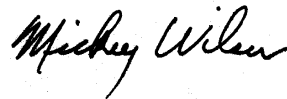
The proposal also adds any adult person who resides in the same household and witnesses the abuse or neglect or possible abuse or neglect of a child to the list of mandatory reporters who are required to immediately report or cause a report to be made to the Division of Family Services.

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 Prosecution Services
Department of Public Safety
Missouri State Highway Patrol
Department of Corrections
Office of State Courts Administrator
Office of Attorney General
Department of Social Services -
 Division of Legal Services
 Children's Division

NOT RESPONDING: State Public Defender

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

Mickey Wilson, CPA
Director
April 3, 2006