

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4070-02
Bill No.: HB 1379
Subject: Department of Revenue; Roads and Highways; Transportation; Department of Transportation
Type: Original
Date: February 21, 2006

FISCAL SUMMARY

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

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
State School Moneys*	\$0	\$0	\$0
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

* Offsetting savings and losses to State School Moneys Fund in FY 2008 and FY 2009.

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 6 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**	Unknown	\$0	\$0

**** Local School Districts would have offsetting income from increased fines and losses from reduced distribution from State School Moneys Fund in FY 2008 and FY 2009.**

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Transportation, Department of Public Safety – Missouri State Highway Patrol**, and the – **Director’s Office** assume the proposal would have no fiscal impact on their agencies.

Officials from the **Office of State Courts Administrator (CTS)** assume there may be some increase in the number of cases filed. CTS would not anticipate a fiscal impact on the judiciary.

Officials from the **Department of Corrections (DOC)** assume there could be a savings as a result of the proposal, but DOC has no data on previous charges. Therefore, DOC assumes no fiscal impact.

Officials from the **Department of Revenue** assume fewer than 100 of these types of convictions to be reported for point assessment. This would create a minimal impact that would be handled with existing resources.

ASSUMPTION (continued)

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

Officials from the **Department of Elementary and Secondary Education (DESE)** assume there is no state cost to the foundation formula associated with this proposal. Should the new crimes and amendments to current law result in additional fines or penalties, DESE cannot know how much additional money might be collected by local governments or the DOR to distribute to the schools. To the extent fine revenues exceed 2004-2005 collections, any increase in this money distributed to schools increases the deduction in the foundation formula the following year. Therefore, the affected districts will see an equal decrease in the amount of funding received through the formula the following year; unless the affected districts are hold-harmless, in which case the districts will not see a decrease in the amount of funding received through the formula (any increase in fine money distributed to the hold-harmless districts will simply be additional money). An increase in the deduction (all other factors remaining constant) reduces the cost to the state of funding the formula.

Officials from the Office of the State Public Defender did not respond to Oversight's request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
GENERAL REVENUE FUND			
<u>Savings</u> – Reduced appropriations to State School Moneys Fund	<u>\$0</u>	<u>Unknown</u>	<u>Unknown</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>\$0</u>	<u>Unknown</u>	<u>Unknown</u>

FISCAL IMPACT - State Government FY 2007 FY 2008 FY 2009
 (continued) (10 Mo.)

STATE SCHOOL MONEYS FUND

Savings – Reduced distributions to local school districts \$0 Unknown Unknown

Losses – Reduced appropriations from General Revenue Fund \$0 (Unknown) (Unknown)

ESTIMATED NET EFFECT ON STATE SCHOOL MONEYS FUND **\$0** **\$0** **\$0**

FISCAL IMPACT - Local Government FY 2007 FY 2008 FY 2009
 (10 Mo.)

POLITICAL SUBDIVISIONS

Revenues – School Districts
 Income from fines Unknown Unknown Unknown

Losses – School Districts
 Reduced distributions from State School Moneys Fund \$0 (Unknown) (Unknown)

ESTIMATED NET EFFECT ON POLITICAL SUBDIVISIONS **Unknown** **\$0** **\$0**

FISCAL IMPACT - Small Business

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

DESCRIPTION

The proposed legislation changes the laws regarding offenses occurring within highway work zones or construction zones. Any person convicted of a second or subsequent moving violation within a work zone will be assessed a fine of \$75. A person who is convicted of speeding or passing a vehicle within a work zone when a highway worker is present for a second or subsequent occurrence will be assessed \$300 in addition to any other fine authorized by law.

The bill creates the crime of endangerment of a highway worker when a motorist driving in a construction or work zone:

1. Exceeds the posted speed limit by 15 miles per hour or more;
2. Passes another vehicle which results in the death or injury of a highway worker;
3. Fails to stop for a work zone flagman or fails to obey traffic control signals;
4. Physically assaults or attempts to assault a highway worker with a motor vehicle or other instrument;
5. Intentionally strikes or moves barrels, barriers, signs, or other devices erected to control the flow of traffic for a reason other than avoidance of an obstacle, an emergency, or to protect the health and safety of another person; or
6. Commits various offenses in which points may be assessed.

A person who is convicted of the offense of endangerment of a highway worker in which no injury or death results will be subject to a fine of not more than \$1,000 and will have eight points assessed on his or her driver's license. If a highway worker is injured or killed in a work zone, the offender will be guilty of aggravated endangerment of a highway worker and subject to a fine of not more than \$5,000 for an injury, not more than \$10,000 if a death resulted, and will have 12 points assessed on his or her license.

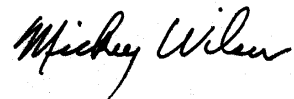
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of State Courts Administrator
Department of Elementary and Secondary Education
Department of Transportation
Department of Corrections
Department of Revenue
Department of Public Safety
 – Missouri State Highway Patrol
 – Director's Office
Office of Prosecution Services

NOT RESPONDING

Office of the State Public Defender



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Director
February 21, 2006