

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5054-02
Bill No.: HB 1862
Subject: Law Enforcement: Fees, Science and Technology
Type: Original
Date: March 10, 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 of the **Office of State Auditor** assume no state or local fiscal impact.

Officials of the **Department of Public Safety - Highway Patrol** assume their department would have no fiscal impact.

Officials of the **Office of State Courts Administrator** assume that Court Clerks would collect the surcharge. Officials stated they have no way of estimating how many persons are booked or processed in a given year. Officials assume since the charge is also refunded in some cases, there is the potential for a significant workload impact on the courts. Officials stated that any workload increase would be reflected in future budget requests.

Officials of the **Department of Corrections** assume this this proposal authorizes a \$25 booking charge assessed in criminal cases with the money used to pay vendors for technology to run jail and detention facilities. Penalty provisions could have potential fiscal impact for DOC, which is for a class D felony.

ASSUMPTION (continued)

Currently, the DOC cannot predict the number of new commitments which may result from the creation of the offense(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 (FY05 average of \$39.13 per inmate, per day or an annual cost of \$14,282 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:

1. DOC assumes the narrow scope of the crime will not encompass a large number of offenders
2. The low felony status of the crime enhances the possibility of plea-bargaining or imposition of a probation sentence
3. 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 **City of St. Joseph Police Department** estimate, based on last years arrest data, the surcharge would generate approximately \$158,000.

Officials of the **Boone County Sheriff's** office estimate income from the booking surcharge at \$185,675, and costs associated with the information system, and overtime costs for learning how to operate the new system.

Officials of the **City of Springfield Police Department** assume they would have no fiscal impact.

Oversight sent response requests to the Clark County Sheriff, Greene County Sheriff, Jackson County Sheriff, St. Louis County Sheriff, St. Louis City Police Department, and many others with no response.

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

<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
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**CITIES AND COUNTIES LAW
 ENFORCEMENT SPECIAL FUND**

**Income to Law Enforcement Special
 Fund**

From \$25 booking charge.	Unknown	Unknown	Unknown
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Cost to Law Enforcement Special Fund
 For technology services to run jail and
 detention facilities.

<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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ESTIMATED NET EFFECT TO LOCAL GOVERNMENTS *	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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*** Oversight for purposes of this fiscal note will show fiscal impact as \$0. Oversight assumes costs would not exceed income in a given year.**

FISCAL IMPACT - Small Business

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

DESCRIPTION

This bill allows the Sheriff, Chief of Police, or the chief law enforcement officer of any law enforcement department or agency which has a booking or processing facility to charge \$25 for each booking or processing occurrence of a person through his or her jail or detention facility.

The moneys collected would be used to provide law enforcement officers, departments, or agencies with software technology, approved by the State Highway Patrol, for record keeping, identification, incarceration, release reporting, and other relevant functions.

Any person who would fail to pay the booking charge would have his or her probation or parole

DESCRIPTION (continued)

revoked and may be subject to a civil suit.

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

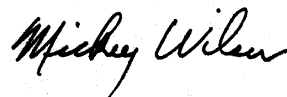
SOURCES OF INFORMATION

Office of the State Auditor
Office of the State Court Administrator
Department of Public Safety - Highway Patrol
Department of Corrections
City of St. Joseph Police Department
Boone County Sheriff
City of Springfield Police Department

NOT RESPONDING

Office of Attorney General
Office of Prosecution Services

Oversight sent response requests to the Clark County Sheriff, Greene County Sheriff, Jackson County Sheriff, St. Louis County Sheriff, St. Louis City Police Department, and many others with no response.



Mickey Wilson, CPA
Director
March 10, 2006