

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 5164-01  
Bill No.: HB 1769  
Subject: Law Enforcement Officers and Agencies  
Type: Original  
Date: February 24, 2006

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
General Revenue	(Unknown)	(Unknown)	(Unknown)
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>(Unknown)</b>	<b>(Unknown)</b>	<b>(Unknown)</b>

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

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 5 pages.

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

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

### **FISCAL ANALYSIS**

#### **ASSUMPTION**

Officials from the **Department of Public Safety – Missouri State Highway Patrol** and the **Boone County Sheriff's Department** assume the proposal 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 the proposal would not have a significant direct fiscal impact on county prosecutors.

Officials from the **Department of Corrections (DOC)** assume, from a Probation and Parole standpoint, passage of this proposal would make it difficult if not impossible for an offender to find a suitable home plan outside the mile-range of a school, especially in urban areas. This would create more issues with transportation for offenders to report to their supervising officer as it would necessitate them living in rural areas.

ASSUMPTION (continued)

At the end of December 2005 there were about 2,400 sex offenders under supervision that would meet the criteria of this bill. In addition, this proposed law would apply to sex offenders who are not currently under supervision and although that exact number is not known, it is a significant amount of sex offenders.

Currently, there are 2 offenders incarcerated with an average sentence of 2.5 years and 5 offenders under field supervision for violation of the current law. DOC anticipates that expanding the distance would increase the number of offenders. The area would expand about 27 times by expanding the range from 1000 feet to one mile.

The DOC does not have definitive information about the distance that affected offenders are living from one of these locations. Given the significant increase in area and the short time-period the law has been in effect, DOC estimates the potential exists for a 13-fold increase or 26 offenders per year. If this increase would prove to be correct, the offender would serve about 60% of their sentence or 18 months. This could result in 26 offenders the first year and 39 offenders each subsequent year.

Currently, the DOC cannot predict the number of new commitments which may result from the expansion 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).

In summary, supervision by the DOC through incarceration or probation would result in additional costs and the exact fiscal impact is unknown.

**Officials from the Office of the State Public Defender, Clark County Sheriff's Department, Greene County Sheriff's Department, Jackson County Sheriff's Department, and St. Louis County Police Department did not respond to Oversight's request for fiscal impact.**

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
<b>GENERAL REVENUE FUND</b>			
<u>Costs – Department of Corrections</u> Incarceration/probation costs	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>	<b><u>(Unknown)</u></b>	<b><u>(Unknown)</u></b>	<b><u>(Unknown)</u></b>
 <u>FISCAL IMPACT - Local Government</u>	 FY 2007 (10 Mo.)	 FY 2008	 FY 2009
	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

FISCAL IMPACT - Small Business

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

DESCRIPTION

Currently, certain sexual offenders are prohibited from living within 1,000 feet of any public school, private school giving instruction in a grade or grades not higher than the twelfth grade, or a child care facility. The proposed legislation increases the distance to within one mile of these facilities.

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 Highway Patrol  
Office of Prosecution Services  
Boone County Sheriff's Department

NOT RESPONDING

**Office of the State Public Defender**  
**Clark County Sheriff's Department**  
**Greene County Sheriff's Department**  
**Jackson County Sheriff's Department**  
**St. Louis County Police Department**



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Director  
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