

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0222-05
Bill No.: SCS for HB 215
Subject: Juvenile Courts; Children and Minors
Type: Original
Date: May 10, 2007

Bill Summary: The proposal changes the definition of “adult” to a person 18 years of age or older and “child” to a person under 18 years of age for status offenses.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
General Revenue	(More than \$1,989,868)	(More than \$2,432,031)	(More than \$2,498,147)
Total Estimated Net Effect on General Revenue Fund	(More than \$1,989,868)	(More than \$2,432,031)	(More than \$2,498,147)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 7 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
General Revenue	35	35	35
Political Subdivisions	20	20	20
Total Estimated Net Effect on FTE	55	55	55

☒ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Local Government	(Less than \$1,049,600)	(Less than \$1,158,700)	(Less than \$1,196,482)

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Corrections** and the **Department of Public Safety – Director’s Office** assume the proposal would have no fiscal impact on their agencies.

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

Officials from the **Office of State Courts Administrator (CTS)** assume the proposed legislation would provide for juvenile court jurisdiction termination at age eighteen for municipal ordinance violations and status offenses.

CTS assumes this would cause a significant workload and fiscal impact on the courts. CTS anticipates there will be approximately 1,135 additional status offenses annually. Approximately 10% of law and status offenses result in detention.

Since services provided in the juvenile justice system are significantly greater than those in the adult justice system, any adult “cost avoidance” would not be sufficient to handle the change.

Based upon projected additional violations in the single-county and multi-county circuits in Missouri, the FY 2008 estimated juvenile personnel cost in these circuits would be \$2,801,968 and 55 juvenile officer FTE (35 FTE in multi-county circuits and 20 FTE in single-county circuits). Overall detention days for approximately 398 additional juveniles are projected to increase by 24,403, costing the state an additional \$128,156 in per diem reimbursement pursuant to Section 211.156, RSMo.

Oversight assumes the Office of State Courts Administrator would incur increased costs due to a significant increase in workload. Oversight assumes these costs to be more than \$100,000 per fiscal year.

Oversight assumes the Office of State Courts Administrator (CTS) would incur an increase in the per diem reimbursement pursuant to Section 211.156. Based on information received from CTS, Oversight assumes the increased per diem reimbursement to be \$128,156 per fiscal year.

ASSUMPTION (continued)

Oversight assumes the single-county circuits would incur the cost of the salaries, fringe benefits, and equipment and expenses for 20 FTE. For fiscal note purposes, Oversight assumes the salary and fringe benefit percentage per FTE would be the same as provided by the CTS.

Oversight assumes counties would incur the equipment and expense costs for the 55 FTE juvenile officers. Oversight assumes this cost to be approximately \$2,500 per FTE in FY 08 and approximately \$500 per FTE in subsequent years.

Officials from the **Department of Social Services – Division of Youth Services (DYS)** assume the proposal is not expected to significantly impact the DYS. Currently, youth who commit status or municipal offenses are rarely committed to the care of the Division by the Juvenile Courts. Youth who are committed for minor violations are typically served within the community and do not require residential treatment services. The DYS anticipates being able to absorb, into existing programs, any additional youth who may be committed under the provisions of this bill.

DYS assumes any increase in the number of youth committed to its care, as a result of this bill, will be minimal. DYS further assumes that current resources are sufficient to meet the needs of those potential youth commitments.

Officials from the **Department of Social Services – Children’s Division** assume the proposal could result in additional costs to the division. Officials assume they could need up to 3 FTE. Officials estimate the cost to be unknown, less than \$200,000. Officials provided no justification for the additional FTE or cost.

Oversight assumes the Department of Social Services – Children’s Division could absorb any increased cost within existing resources. If the Children’s Division experiences an increase that would require additional funding, they could request the funding through the appropriation process.

In response to a previous version of the proposal (HB 215, LR # 0222-01), officials from the **Office of the State Public Defender (SPD)** assumed this proposal will require more SPD resources. While the number of new cases (or cases with increased penalties) may be too few or uncertain to request additional appropriations for this specific bill, the SPD will continue to request sufficient appropriations to provide competent and effective representation in all its cases.

ASSUMPTION (continued)

Oversight assumes the Office of the State Public Defender (SPD) could absorb the costs of the proposed legislation within existing resources. Oversight assumes any significant increase in the workload of the SPD would be reflected in future budget requests.

<u>FISCAL IMPACT - State Government</u>	FY 2008 (10 Mo.)	FY 2009	FY 2010
GENERAL REVENUE FUND			
<u>Costs – Office of State Courts</u>			
Administrator			
Personal Service	(\$1,227,503)	(\$1,517,193)	(\$1,562,709)
Fringe Benefits	(\$555,568)	(\$686,682)	(\$707,282)
Increased court cases	(More than \$100,000)	(More than \$100,000)	(More than \$100,000)
Per diem reimbursement to counties	(\$106,797)	(\$128,156)	(\$128,156)
<u>Total Costs – CTS</u>	<u>(More than \$1,989,868)</u>	<u>(More than \$2,432,031)</u>	<u>(More than \$2,498,147)</u>
FTE Change – CTS	35 FTE	35 FTE	35 FTE
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
	<u>(More than \$1,989,868)</u>	<u>(More than \$2,432,031)</u>	<u>(More than \$2,498,147)</u>
Estimated Net FTE Change for General Revenue Fund	35 FTE	35 FTE	35 FTE

<u>FISCAL IMPACT - Local Government</u>	FY 2008 (10 Mo.)	FY 2009	FY 2010
POLITICAL SUBDIVISIONS			
<u>Revenues</u> – From Office of State Courts Administrator			
Per diem reimbursement	More than \$106,797	More than \$128,156	More than \$128,156
<u>Costs</u> – Counties for circuit courts			
Personal Service	(\$701,430)	(\$866,967)	(\$892,977)
Fringe Benefits	(\$317,467)	(\$392,389)	(\$404,161)
Equipment and Expense	(\$137,500)	(\$27,500)	(\$27,500)
<u>Total Costs</u> – Counties for circuit courts	<u>(\$1,156,397)</u>	<u>(\$1,286,856)</u>	<u>(\$1,324,638)</u>
FTE Change – counties	20 FTE	20 FTE	20 FTE
ESTIMATED NET EFFECT ON POLITICAL SUBDIVISIONS			
	<u>(Less than \$1,049,600)</u>	<u>(Less than \$1,158,700)</u>	<u>(Less than \$1,196,482)</u>
Estimated Net FTE Change for Political Subdivisions	20 FTE	20 FTE	20 FTE

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

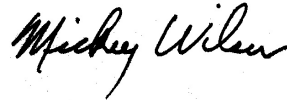
The proposed legislation expands the jurisdiction of juvenile courts to include individuals who are 17 and 18 years of age for the sole purpose of status offenses by redefining the terms “child,” “adult,” and “status offense.” The circuit or municipal courts will have jurisdiction over any child 16 years of age or older who is alleged to have committed a municipal ordinance violation or state criminal offense. The provisions of Section 211.034, RSMo, allowing a parent to petition the circuit court to extend the jurisdiction of the juvenile court for his or her high school child are repealed. The implementation of the bill is subject to appropriation.

FISCAL DESCRIPTION (continued)

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 Social Services
Department of Public Safety
 – Director's Office
Office of Prosecution Services
Office of the State Public Defender



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Director
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