

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3140-01
Bill No.: HB 1649
Subject: Crimes and Punishment: Licenses - Driver's; Motor Vehicles
Type: Original
Date: February 11, 2008

Bill Summary: Restricts the driver's license of a convicted sexual offender to no more than one year and revokes the license if the offender fails to register as required by law.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
Highway Fund	Will not exceed \$75,000	Will not exceed \$75,000	Will not exceed \$75,000
Total Estimated Net Effect on <u>Other</u> State Funds	Will not exceed \$75,000	Will not exceed \$75,000	Will not exceed \$75,000

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
Total Estimated Net Effect on FTE	0	0	0

☐ 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 2009	FY 2010	FY 2011
Local Government	Will not exceed \$25,000	Will not exceed \$25,000	Will not exceed \$25,000

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Public Safety - Office of the Director** and **Missouri State Highway Patrol** state this proposed legislation will have no fiscal impact on their respective agencies.

Officials from the **Office of Secretary of State (SOS)** assume many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact to the SOS office for Administrative Rules for this proposal is less than \$2,500. The SOS recognizes this is a small amount and does not expect additional funding would be required to meet these costs. However, SOS also recognizes that many such bills may be passed in a given year and that collectively the costs may be in excess of what the SOS can sustain with their core budget. Any additional required funding would be handled through the budget process.

Officials from the **Department of Revenue (DOR)** state their agency will need to prepare policies and procedures for denying issuance of a license if the person does not comply. This will have a minimal impact to DOR and can be implemented with existing resources.

An interface would be developed to maintain the registry or obtain regular updates through a batch file to determine an applicant should be denied driving privileges based on their non-compliance with the sexual offender registry requirements. The Driver's License Bureau anticipates testing of this new program to be minimal and can be accomplished by using existing resources.

The **Office of Administration Information Technology (ITSD DOR)** estimates that this legislation could be implemented utilizing 1 existing CIT III for 2 months at a rate of \$8,372. ITSD DOR estimates the IT portion of this request can be accomplished within existing resources; however, if priorities shift, additional FTE/overtime would be needed to implement. Funding would be requested through the budget process. This proposed legislation will also require programming changes to the Over The Counter software and supporting applications. These programming changes will need to be designed and tested. It is estimated that 60 hours will be needed for project completion at an hourly rate of \$100 for a total of \$6,000. **Oversight** assumes this cost can be absorbed within existing resources.

DOR officials state that, according to information obtained from the Missouri State Highway
ASSUMPTION (continued)

Patrol, the current list of registered sex offenders contains approximately 11,000 persons. It is estimated approximately 144 persons would be added to the registry quarterly. It is unknown how many applicants are non-compliant at this time and would be denied driving privileges, as Highway Patrol is not able to provide this information at this time.

Oversight will assume, for fiscal note purposes, that even if all offenders were in compliance and renewed licenses annually, that revenue from fees would not exceed \$100,000 in any given year covered in the scope of this fiscal note. Of this revenue, 75% is distributed to the Highway Fund and 25% is distributed to Cities and Counties.

In response to similar legislation from last year (HB 224 - FN 883-01N) officials from the **Department of Corrections (DOC)** stated that failure to comply with the stipulations outlined in the proposal may cause probation or parole to be revoked, which could have cost potential. DOC assumed these costs would be \$0 or minimal that may be absorbed with existing resources.

Officials from the **Boone County Sheriff's Department** and the **Springfield Police Department** state this proposal will have no fiscal impact on their respective departments.

<u>FISCAL IMPACT - State Government</u>	FY 2009 (10 Mo.)	FY 2010	FY 2011
HIGHWAY FUND			
<u>Income</u> - Department of Revenue - Increased Driver's License Fees (\$302.177)	Will not exceed <u>\$75,000</u>	Will not exceed <u>\$75,000</u>	Will not exceed <u>\$75,000</u>
ESTIMATED NET EFFECT ON HIGHWAY FUND	<u>Will not exceed</u> <u>\$75,000</u>	<u>Will not exceed</u> <u>\$75,000</u>	<u>Will not exceed</u> <u>\$75,000</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2009 (10 Mo.)	FY 2010	FY 2011
POLITICAL SUBDIVISIONS			

Income - Cities and Counties - Increased

Driver's License Fees (§302.177)	Will not exceed	Will not exceed	Will not exceed
	<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>

**ESTIMATED NET EFFECT ON
POLITICAL SUBDIVISIONS**

<u>Will not exceed</u>	<u>Will not exceed</u>	<u>Will not exceed</u>
<u>\$25,000</u>	<u>\$25,000</u>	<u>\$25,000</u>

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

§ 302.177

This proposed legislation restricts the driver's license of a convicted sexual offender to one year unless the license is issued for a shorter period of time due to other requirements of law. The fee for the one-year license will be \$7.50.

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

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Department of Public Safety
Office of the Director
Missouri State Highway Patrol
Department of Revenue
Office of Secretary of State
Administrative Rules Division
Department of Corrections
Local Law Enforcement
Springfield Police Department
Boone County Sheriff's Department

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

Mickey Wilson, CPA
Director
February 11, 2008