

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3149-01
Bill No.: HB 1308
Subject: Courts; Law Enforcement Officers and Agencies
Type: Original
Date: February 1, 2008

Bill Summary: The proposal lowers the average total inmate population required to allow a circuit court to appoint an extra circuit court marshal.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
General Revenue	\$0 to (\$317,141)	\$0 to (\$391,986)	\$0 to (\$403,745)
Total Estimated Net Effect on General Revenue Fund	\$0 to (\$317,141)	\$0 to (\$391,986)	\$0 to (\$403,745)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
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 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
General Revenue	0 to 5	0 to 5	0 to 5
Total Estimated Net Effect on FTE	0 to 5	0 to 5	0 to 5

☒ 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	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from **Mississippi County** assume the proposal would have no fiscal impact on their county.

Officials from the **Office of State Courts Administrator (CTS)** assume under the new legislation, 5 additional circuits would be eligible to apply for a circuit court marshal: 13th, 14th, 25th, 33rd, and 45th. The highest average sheriff's salary for these circuits is \$56,932. 90% of the average highest sheriff's salary is \$51,239. Therefore, CTS assumes the approximate cost for the 5 FTE is \$317,141.

Oversight assumes the proposal would allow, but not require, the appointment of a circuit court marshal. Therefore, Oversight has ranged the fiscal impact from \$0 to approximately \$300,000 in FY 09 and from \$0 to approximately \$400,000 in subsequent years.

Officials from **Pike County** assume they would incur costs of \$29,000 in salary and \$9,000 in benefits for the additional officer. Officials assume the total cost to be \$38,000.

Oversight assumes Pike County would not incur salary or fringe benefit costs, as these costs would be paid by the state through the Office of State Courts Administrator.

Officials from the **Randolph County** assume they would save approximately \$30,000 annually in salary and benefits for the deputy that now performs the security duties. Additionally, the deputy would be free to return to the sheriff's office for assignment.

Oversight assumes the Randolph County deputy now performing security duties would be reassigned within the sheriff's office if a circuit court marshal is appointed. Therefore, the fiscal note does not reflect a savings to Randolph County.

<u>FISCAL IMPACT - State Government</u>	FY 2009 (10 Mo.)	FY 2010	FY 2011
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GENERAL REVENUE FUND

Costs – Office of State Courts

Administrator (CTS)

Personal Service

\$0 to (\$219,901) \$0 to (\$271,797) \$0 to (\$279,951)

Fringe Benefits

\$0 to (\$97,240) \$0 to (\$120,189) \$0 to (\$123,794)

Total Costs – CTS

\$0 to (\$317,141) \$0 to (\$391,986) \$0 to (\$403,745)

FTE Change – CTS

0 to 5 FTE 0 to 5 FTE 0 to 5 FTE

**ESTIMATED NET EFFECT ON
GENERAL REVENUE FUND**

\$0 to
(\$317,141)

\$0 to
(\$391,986)

\$0 to
(\$403,745)

Estimated Net FTE Change for General
Revenue Fund

0 to 5 FTE

0 to 5 FTE

0 to 5 FTE

FISCAL IMPACT - Local Government

FY 2009
(10 Mo.)

FY 2010

FY 2011

\$0

\$0

\$0

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 allows a circuit court to appoint an extra circuit court marshal if the average total inmate population in all facilities operated by the Department of Corrections located in the circuit is more than 1,500 during the previous two years. Currently, the court can appoint an extra marshal only when the total average inmate population over the two-year period is more than 2,500.

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

BLG:LR:OD (12/06)

SOURCES OF INFORMATION

Office of State Courts Administrator
Mississippi County
Pike County
Randolph County

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

Mickey Wilson, CPA
Director
February 1, 2008