

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3489-01  
Bill No.: HB 1357  
Subject: Crimes and Punishment; Gambling; Family Law  
Type: Original  
Date: February 4, 2008

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Bill Summary: This proposal prohibits any person who commits the crime of nonsupport of a spouse or child from being admitted on an excursion gambling boat or casino until the arrearage is satisfied.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
General Revenue	(\$23,250)	\$0	\$0
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>(\$23,250)</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
<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 6 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
Federal Funds	(\$23,250)	\$0	\$0
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>(\$23,250)</b>	<b>\$0</b>	<b>\$0</b>

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

☐ 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).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Office of the State Courts Administrator** assume this proposal will not fiscally impact the courts.

Officials from the **Department of Public Safety** and **Office of the State Public Defender** each assume the proposal will not fiscally impact their respective agencies.

Officials from the **Missouri Gaming Commission (GAM)** assume this legislation would result in a loss of \$1,582,875 in Adjusted Gross Receipts taxes to Education and \$131,250 in Admission Fees to the MGC Fund (0286) used to fund the Missouri Gaming Commission, Veterans, National Guard, Missouri Loan Guaranty, Early Childhood Development and Compulsive Gamblers. The legislation would make it unlawful for individuals convicted for failure for not paying child support from gaining entry to Missouri licensed casinos.

According to information supplied by Social Services, Family Support Division, there were 5,803 criminal convictions for non support in 2006 and to date 3,746 convictions in calendar year 2007 (3 quarters). This works out to average of 5,250 criminal convictions per year.

- Assumes 5 years of criminal convictions;
- Assumes all those convicted will play games at the Casino;
- GAM data indicates 66.8% of gamers visited casinos 5 or fewer times during past year;
- GAM data indicates 66.8% spend on average \$100 or less per visit. Wins per patron average is \$67 in 2006;
- The State Tax on Adjusted Gross Receipts paid by the Casinos is .18;
- The State Admission Fee paid by Casinos is \$1.00.

GAM utilized the following methodology:

$$5,250 \times 5 \times 5 \times \$67 \times .18 = (\$1,582,875) \text{ AGR taxes to the State}$$

$$5,250 \times 5 \times 5 \times \$1 = (\$131,250) \text{ Admission Fees to the State}$$

Officials from the **Department of Social Services - Family Support Division (FSD)** state implementation of this bill would require one half-time position for the first six months. For this fiscal note, it is assumed the position would be classified as a Program Development Specialist. This position would be responsible for coordinating implementation of the statute with the

ASSUMPTION (continued)

excursion gambling boats and casinos, directing system changes, and developing procedures for FSD staff and would work as needed until implementation is completed.

FSD is unable to determine the amount of the possible increases in child support collections from the implementation of this bill. In addition, FSD is unable to determine the cost for the additional telephone calls received at the call center. FSD estimates the total cost to be less than \$100,000 per fiscal year.

FSD would need to change its automated child support system (MACSS) to track data on individuals found guilty of nonsupport and establish a method for transferring this data to excursion gambling boats and casinos. Office of Administration - Information Technology Services Division will need to provide the cost for these changes.

Officials from the **Department of Social Services - Research and Evaluation Division (DOS)** assume revisions would be needed to enhance the MACSS system to track data on individuals found guilty of nonsupport and establish a method for transferring this data to the Gaming Commission to be shared with gambling boats and casinos. Office of Administration - Information Technology Services Division estimates approximately 500 programming and testing hours at \$93 per hour would be required to implement the proposed changes to the automated system. The estimated programming costs are \$46,500. This would be split between the General Revenue and Federal Funds.

**Oversight** assumes the Department of Social Services would be able to administer the proposal with existing personnel; therefore, Oversight is showing only the estimated programming expenses.

Officials from the **Office of Prosecution Services** state they are not aware of any estimates of the number of additional criminal cases that would be referred to County Prosecutors for charges because of this proposed legislation. Additionally, the Office of Prosecution Services is not otherwise able to establish a workable estimate of the number of additional criminal cases that would be referred to County Prosecutors for charges, though it is not believed that a significant number of additional criminal case referrals would result from this proposed legislation. Notwithstanding these uncertainties, it is assumed that any fiscal impact would not be significant.

**Oversight** has no information regarding the percentage of persons that are convicted of nonsupport of a spouse or a child who visit Missouri's casinos. Oversight assumes the loss of admission fee revenue and gaming tax revenue from this proposal would not be material, and

therefore have not reflected the loss on the fiscal note.

<u>FISCAL IMPACT - State Government</u>	FY 2009 (10 Mo.)	FY 2010	FY 2011
<b>GENERAL REVENUE FUND</b>			
<u>Costs</u> – Department of Social Services Programming Costs	(\$23,250)	\$0	\$0
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>	<b><u>(\$23,250)</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
 <b>FEDERAL FUNDS</b>			
<u>Costs</u> – Department of Social Services Programming Costs	(\$23,250)	\$0	\$0
<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>	<b><u>(\$23,250)</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
 <u>FISCAL IMPACT - Local Government</u>	FY 2009 (10 Mo.)	FY 2010	FY 2011
	<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.

FISCAL DESCRIPTION

This bill prohibits any person who has been found guilty of or has pled guilty to the crime of

nonsupport of a spouse or child from being admitted on an excursion gambling boat or casino until the arrearages have been satisfied. The Family Support Division within the Department of

FISCAL DESCRIPTION (continued)

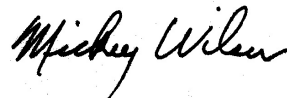
Social Services is required to provide to every gambling boat or casino in the state the names of all persons to be barred from admittance.

Any excursion gambling boat or casino that knowingly allows a barred person to be admitted will be subject to a fine of \$1,000. Any person admitted on a gambling boat or casino who has been found guilty of or has pled guilty to criminal nonsupport will be guilty of a class B misdemeanor.

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

Missouri Gaming Commission  
Department of Social Services  
Office of the State Courts Administrator  
Office of the State Public Defender  
Department of Public Safety  
Office of Prosecution Services



Mickey Wilson, CPA  
Director  
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