

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4438-01
Bill No.: HB 2029
Subject: General Assembly
Type: Original
Date: March 10, 2008

Bill Summary: Creates the Legislative Budget Office within the Committee on Legislative Research.

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
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
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	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator, Oversight Division, Missouri House of Representatives, and Missouri Senate** assume the proposal will have no fiscal impact on their organizations.

Officials from the **Legislative Budget Office (LBO)** state enactment of this legislation is not expected to increase state spending in fiscal years 2009 - 2011. Changes effective for FY 09 would not significantly increase the workload beyond amounts anticipated in the budget request. Changes effective in FY 10 would increase the workload of the LBO, but could decrease the workload for the Oversight Division. It is anticipated that the appropriations process for FY 10 would determine the allocation of core funding between the LBO and Oversight. It is assumed that the combined core funds would be sufficient to provide adequate funding for both organizations in FY 10 and subsequent years.

Officials from **Legislative Research (LR)** state as the LBO is a separate division of LR and has its own appropriation; therefore, LR assumes the proposal will have no fiscal impact.

Officials from the **Office of State Auditor (SAU)** state Section 23.170.5 requires the SAU to provide assistance to the Oversight Division of the Committee on Legislative Research on program evaluations and the preparation of related reports. The extent to which the auditor's office would be asked to participate in this process is unknown. However, looking at available data, it appears that 5 such reports were completed in both 2004 and 2005. Assuming that the auditor's office is requested to participate in approximately 5 reports per year, at least one (1) FTE at the staff auditor I level would be required for this purpose. The SAU estimated FY 09 costs of \$48,913; FY 10 costs of \$53,278; and FY 11 costs of \$54,876.

Oversight notes that according to current law, Section 23.140.4, the SAU will, "upon request, cooperate and provide assistance in the conduct of audits and the preparation of reports" made in connection of those audits. This proposal replaces the word "audits" with "evaluations" and places essentially the same language in Section 23.170.5. Therefore, **Oversight** assumes there is no change in the duties required of the SAU and the SAU will not require an additional staff auditor to perform the duties assigned.

Officials from the **Department of Corrections (DOC)** state the DOC cannot predict the number of new commitments which may result from the creation 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.

ASSUMPTION (continued)

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 (FY 07 average of \$41.21 per inmate per day, or an annual cost of \$15,040 per inmate) or through supervision provided by the Board of Probation and Parole (FY 07 average of \$2.43 per offender per day, or an annual cost of \$887 per offender). Supervision by the DOC through probation or incarceration would result in additional unknown costs to the DOC. Seven (7) persons would have to be incarcerated per fiscal year to exceed \$100,000 annually. Due to the narrow scope of this new crime, it is assumed the impact would be less than \$100,000 per year for the DOC.

Oversight assumes the DOC will have no costs as history indicates the Oversight Division has had no violations in the last five years.

Officials from **House Research** and the **Office of Prosecution Services** did not respond to our request for a statement of fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2009 (10 Mo.)	FY 2010	FY 2011
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2009 (10 Mo.)	FY 2010	FY 2011
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

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 appears to have no fiscal impact.

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

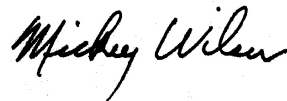
SOURCES OF INFORMATION

HWC:LR:OD (12/02)

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Office of State Courts Administrator
Department of Corrections
Legislative Budget Office
Legislative Research
Missouri House of Representatives
Legislative Oversight
Office of State Auditor
Missouri Senate

NOT RESPONDING: House Research and Office of Prosecution Services

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

Mickey Wilson, CPA
Director
March 10, 2008