

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3171-01
Bill No.: HB 1726
Subject: Probation and Parole; Crimes and Punishment; Fees
Type: Original
Date: March 8, 2010

Bill Summary: The proposal makes sheriff's sex offender registration fees mandatory and allows sheriffs to charge a reimbursement fee for search and apprehension to an offender guilty of failing to register as a sex offender.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
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 2011	FY 2012	FY 2013
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
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 2011	FY 2012	FY 2013
Local Government	Less than \$100,000	Less than \$100,000	Less than \$100,000

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on the courts.

Officials from the **Boone County Sheriff's Department** assume the proposal would result in increased revenues. Estimating approximately 50 new registrations per year and an additional 50 address changes, officials assume the proposal would yield \$750.00 annually, if collected. However, the fact is many will not have the \$10 at the time they register or \$5 at the time they change their registration information. Even if they don't have the money, officials will allow them to register and change their information because they must. There is no provision making it an offense not to pay the fee. Officials do several "round ups" a year to locate and arrest violators of these statutes. The \$750.00 in revenues gained won't touch what they already expend in personnel time to locate and arrest these offenders.

Oversight assumes the proposal will result in increased revenues to county sheriff departments. For fiscal note purposes, Oversight assumes the statewide increase to be Less than \$100,000 per year.

Officials from the Buchanan County Sheriff's Department, Clark County Sheriff's Department, Jackson County Sheriff's Department, Platte County Sheriff's Department, and the St. Louis County Police Department did not respond to Oversight's request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2011 (10 Mo.)	FY 2012	FY 2013
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2011 (10 Mo.)	FY 2012	FY 2013
LOCAL GOVERNMENT			
<u>Revenues</u> – County Sheriffs			
Sex offender registration fees	<u>Less than</u> <u>\$100,000</u>	<u>Less than</u> <u>\$100,000</u>	<u>Less than</u> <u>\$100,000</u>
ESTIMATED NET EFFECT ON LOCAL GOVERNMENT	<u>Less than</u> <u>\$100,000</u>	<u>Less than</u> <u>\$100,000</u>	<u>Less than</u> <u>\$100,000</u>

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

Currently, the chief law enforcement official of any county or St. Louis City in which a sexual offender resides may charge the offender a fee of up to \$10 to register and \$5 for each change made to his or her initial registration on the sexual offender registry to cover processing costs. The proposed legislation requires the offender to be charged the fees.

Any person who has pled guilty to or been found guilty of failing to register as a sexual offender may be charged a fee of up to \$500 to reimburse the county sheriff for the costs associated with the search or apprehension of the offender.

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
 Boone County Sheriff's Department

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NOT RESPONDING

**Buchanan County Sheriff's Department
Clark County Sheriff's Department
Jackson County Sheriff's Department
Platte County Sheriff's Department
St. Louis County Police Department**

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

Mickey Wilson, CPA
Director
March 8, 2010