

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0592-02
Bill No.: SCS for HB 256
Subject: Courts; Attorneys; Fees; Public Assistance
Type: Original
Date: April 28, 2011

Bill Summary: This proposal extends the sunset on the Basic Civil Legal Services Fund to December 2018.

FISCAL SUMMARY

| ESTIMATED NET EFFECT ON GENERAL REVENUE FUND | | | |
|---|------------|------------|------------|
| FUND AFFECTED | FY 2012 | FY 2013 | FY 2014 |
| | | | |
| | | | |
| Total Estimated Net Effect on General Revenue Fund | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON OTHER STATE FUNDS | | | |
|---|------------|------------|------------|
| FUND AFFECTED | FY 2012 | FY 2013 | FY 2014 |
| Basic Civil Legal Services* | \$0 | \$0 | \$0 |
| | | | |
| Total Estimated Net Effect on <u>Other</u> State Funds | \$0 | \$0 | \$0 |

* Income and Expenses assumed to net to zero in Fiscal Years 2012 and 2013.

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

| ESTIMATED NET EFFECT ON FEDERAL FUNDS | | | |
|---|------------|------------|------------|
| FUND AFFECTED | FY 2012 | FY 2013 | FY 2014 |
| | | | |
| | | | |
| Total Estimated Net Effect on <u>All</u> Federal Funds | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE) | | | |
|---|----------|----------|----------|
| FUND AFFECTED | FY 2012 | FY 2013 | FY 2014 |
| | | | |
| | | | |
| 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 2012 | FY 2013 | FY 2014 |
| Local Government | \$0 | \$0 | \$0 |

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the State Treasurer** assume the proposal would not fiscally impact their agency.

Officials from the **Attorney General's Office** assume that any potential costs arising from this proposal can be absorbed with existing resources.

Officials from the **Office of the State Courts Administrator (CTS)** assume the proposed legislation would extend the sunset of the Basic Civil Legal Services Fund to 2018.

The Basic Civil Legal Services Fund provides low income Missourians with equal access to the civil justice system. Moneys are paid to the Office of the State Court Administrator and credited to the fund, which is administered by the Supreme Court.

In addition to the other fees authorized by law, the clerk of each court collects fees on the filing of any civil and criminal action or proceeding, including an appeal: Supreme Court and Court of Appeals \$20.00; Circuit Courts \$10.00; Associate Circuit Courts \$8.00. The fund collects and disburses approximately \$3,000,000 in any given year.

According to reports from the Office of the State Treasurer, the Basic Civil Legal Services Fund (0757) had the following activity for the previous four fiscal years:

| Year | Receipts / Transfers In | Disbursements / Transfers Out | Ending Balance |
|---------|-------------------------|-------------------------------|----------------|
| FY 2007 | \$3,283,542 | \$3,293,733 | \$38,231 |
| FY 2008 | \$3,609,493 | \$3,490,072 | \$167,575 |
| FY 2009 | \$5,104,082 | \$4,121,897 | \$1,149,461 |
| FY 2010 | \$4,753,144 | \$5,651,328 | \$250,976 |
| Average | \$4,187,565 | \$4,139,258 | |

Oversight will reflect annual receipts and disbursements from the fund of \$4.1 million if the fund is not allowed to sunset (the bill is passed). Currently, the fund is set to expire on December 31, 2012; therefore, Oversight will reflect six months of activity in FY 2013 for the period of January 1, 2013 - June 30, 2013.

| <u>FISCAL IMPACT - State Government</u> | FY 2012 (10 Mo.) | FY 2013 | FY 2014 |
|---|---------------------|----------------------|----------------------|
| BASIC CIVIL LEGAL SERVICES | | | |
| <u>Income</u> - Office of the State Courts Administrator | | | |
| The expiration date of the fund is removed | \$0 | \$2,050,000 | \$4,100,000 |
| <u>Expenses</u> - Office of the State Courts Administrator | | | |
| Proceeds of the fund are utilized according to Sections 488.031 and 477.650, RSMo | <u>\$0</u> | <u>(\$2,050,000)</u> | <u>(\$4,100,000)</u> |
| ESTIMATED NET EFFECT TO THE BASIC CIVIL LEGAL SERVICES FUND | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |

| <u>FISCAL IMPACT - Local Government</u> | FY 2012 (10 Mo.) | FY 2013 | FY 2014 |
|---|---------------------|-------------------|-------------------|
| | <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

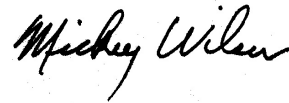
This bill extends the December 31, 2012, expiration date of the provisions regarding the Basic Civil Legal Services Fund to December 31, 2018

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

L.R. No. 0592-02
Bill No. SCS for HB 256
Page 5 of 5
April 28, 2011

SOURCES OF INFORMATION

Office of the State Courts Administrator
Office of the Attorney General
Office of the State Treasurer

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

Mickey Wilson, CPA
Director
April 28, 2011