

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4685-01
Bill No.: HB 1110
Subject: Courts; Drugs and Controlled Substances
Type: Original
Date: February 13, 2012

Bill Summary: This proposal authorizes the establishment of veterans treatment courts to dispose of cases which stem from substance abuse or mental illness of military veterans or current military personnel.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
General Revenue	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
Total Estimated Net Effect on General Revenue Fund	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
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 2013	FY 2014	FY 2015
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
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 2013	FY 2014	FY 2015
Local Government	\$0	\$0	\$0

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FISCAL ANALYSIS

ASSUMPTION

Officials from the **Missouri Veterans Commission, Office of Prosecution Services** and the **Missouri State Public Defender** each assume the proposal would not fiscally impact their respective agencies.

Officials from the **Office of the State Courts Administrator** state since the legislation is permissive, they have no way of knowing how many courts would create the programs. Any significant increase in the workload will be reflected in future budget requests.

Oversight assumes if a circuit court decides to create a veterans treatment court, they will be able to do so utilizing existing resources. Therefore, Oversight will assume the proposal would not create a fiscal impact to the Office of the State Courts Administrator.

Officials from the **Department of Mental Health (DMH)** state this bill would allow any circuit court to establish a veterans treatment court as an alternative for the judicial system to dispose of cases which stem from substance abuse or mental illness of military veterans or current military personnel. Veterans treatment courts would make referrals for substance abuse or mental health treatment to Federal level programs or community-based treatment programs, including those certified by the Missouri Department of Mental Health.

It is unknown how many veterans treatment courts will be established, how many people they will serve, or how many veterans will be referred for state-funded community-based mental health or substance abuse treatment. Due to the various unknown factors associated with this bill, the Department of Mental Health projects an unknown cost.

Oversight will range a state fiscal impact to the Department of Mental Health from \$0 (either no veterans treatment courts are established, or there are no referrals for their programs, or referrals are to federal programs) to an unknown amount of costs for treatment as stated by DMH.

Officials from **Cass County, Clay County, Cole County** and **Greene County** did not respond to our request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2013 (10 Mo.)	FY 2014	FY 2015
GENERAL REVENUE			
<u>Costs - Department of Mental Health</u> program expenses for referrals from veterans treatment courts	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
 <u>FISCAL IMPACT - Local Government</u>	 FY 2013 (10 Mo.)	 FY 2014	 FY 2015
	<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 proposal allows any circuit court or combination of circuit courts to establish a veterans treatment court to provide an alternative for the judicial system to dispose of criminal cases that stem from substance abuse or mental illness of military veterans or current military personnel.

A veterans treatment court must:

- (1) Combine judicial supervision, drug testing, and substance abuse and mental health treatment to veterans or current military personnel; and.
- (2) Make a referral for substance abuse or mental health treatment, or a combination of both, through the federal Department of Defense health care, the Veterans Administration, or a community-based treatment program except for good cause found by the court. Any community-based treatment program utilized must receive state or federal funds in connection with the referral and only refer the individual to a program which is certified by the Department of Mental Health unless no appropriate certified treatment program is located within the same

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FISCAL DESCRIPTION (continued)

county as the veterans treatment court.

The charges, petition, or penalty against a court participant may be dismissed, reduced, or modified upon the successful completion of the program. Any fees received by a court from a participant as payment for substance abuse or mental health treatment programs must not be considered court costs, charges, or fines.

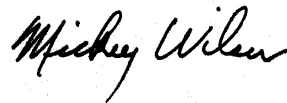
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the State Courts Administrator
Department of Mental Health
Department of Public Safety
Office of Prosecution Services
Office of the State Public Defender

NOT RESPONDING:

Cass County
Clay County
Cole County
Greene County



Mickey Wilson, CPA
Director
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