

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4682-01
Bill No.: HB 1759
Subject: Crimes and Punishment; Law Enforcement Officers and Agencies; Prisons and Jails
Type: Original
Date: April 2, 2014

Bill Summary: This proposal changes the laws regarding certain offenders who are fugitives from justice or have outstanding arrest warrants from more than one political subdivision or jurisdiction.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
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 2015	FY 2016	FY 2017
Local Government	(Unknown)	(Unknown)	(Unknown)

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Public Safety - Missouri Highway Patrol** and the **Department of Social Services** each assume the proposal would not fiscally impact their respective agencies.

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

Officials from the **Columbia Police Department** assume this could potentially have significant fiscal impact. The actual transporting (vehicle wear and tear as well as fuel costs) and officer time out of service would have an impact. Recoverable costs would probably be minimal.

Officials from the **Springfield Police Department** assume the proposal would have costs to their agency totaling \$382,499 per year:

- \$297,500 for 2,125 warrants at 4 hour officer labor per warrant with travel outside the jurisdiction, etc.;
- \$84,999 for fuel expense - with a two hour drive and return.

Officials from the Boone County Sheriff's Department did not respond to our request for fiscal impact.

Oversight will reflect an unknown cost to local Police Departments and Sheriff's Departments.

<u>FISCAL IMPACT - State Government</u>	FY 2015 (10 Mo.)	FY 2016	FY 2017
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2015 (10 Mo.)	FY 2016	FY 2017
LOCAL POLITICAL SUBDIVISIONS			
<u>Costs - Police Departments / Sheriff's</u>			
Departments - of transporting fugitives	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT TO LOCAL POLITICAL SUBDIVISIONS	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

This proposal changes the laws regarding offenders with offenses in multiple jurisdictions. The bill states that a fugitive from justice, a person with an outstanding arrest warrant, or a person who is wanted by another jurisdiction cannot be transported to a holding cell within the political subdivision or jurisdiction that apprehended the person if he or she:

- (1) Is taken into custody within 30 miles of the jurisdiction where he or she has an active warrant or is wanted;
- (2) Is taken into custody in a jurisdiction within the same state as the jurisdiction or political subdivision that wants or has issued a warrant for the person's arrest; or
- (3) Is not being held in custody on any charges pending in the political subdivision or jurisdiction in which the fugitive or wanted person has been taken into custody;

The wanted person or fugitive must be transported by the peace or law enforcement officer, agency, or department that took him or her into custody and surrendered to the nearest political subdivision or jurisdiction within the state that is located within 30 miles of the transporting jurisdiction in which the fugitive or wanted person is wanted.

If the fugitive or wanted person is also wanted by the jurisdiction that has taken him or her into custody, immediately after satisfying any conditions for release from custody of the holding jurisdiction, the holding jurisdiction must notify, in the order of the least distance from the

RAS:LR:OD

FISCAL DESCRIPTION (continued)

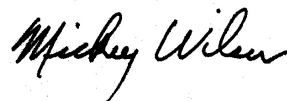
holding jurisdiction, each political subdivision or jurisdiction within the state that is located within 30 miles of the holding jurisdiction in which the fugitive or wanted person is wanted of the impending release. The political subdivision or jurisdiction must notify the holding jurisdiction of its intent to retrieve the fugitive or incarcerated person. If it fails to do so within four hours after being notified, the holding jurisdiction may transport and surrender the fugitive or wanted person to the nearest political subdivision or jurisdiction within the state that is located within 30 miles of the transporting jurisdiction in which the fugitive or wanted person is wanted.

The bill allows any fugitive or wanted person being held in custody under an arrest warrant to be assessed or charged, upon conviction of any of the charges included in the arrest warrant or any other charge bargained by the parties, \$1 per mile and \$25 per hour or other reasonable fee as may from time to time be established by the Missouri Supreme Court, for the transportation. This fee must be taxed by the political subdivision or jurisdiction in which the fugitive or person is wanted as court costs and must be remitted to the transporting jurisdiction upon payment.

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

Department of Public Safety
Office of the State Courts Administrator
Department of Social Services
Springfield Police Department
Columbia Police Department



Mickey Wilson, CPA
Director
April 2, 2014

L.R. No. 4682-01
Bill No. HB 1759
Page 6 of 6
April 2, 2014

Ross Strobe
Assistant Director
April 2, 2014

RAS:LR:OD