

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0669-01
Bill No.: Perfected HB 473
Subject: Courts; Cities, Towns and Villages
Type: Original
Date: April 14, 2015

Bill Summary: This proposal modifies procedures in municipal courts.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
General Revenue	(Up to \$81,399)	(Up to \$81,399)	(Up to \$81,399)
Total Estimated Net Effect on General Revenue	(Up to \$81,399)	(Up to \$81,399)	(Up to \$81,399)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
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 2016	FY 2017	FY 2018
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
General Revenue	1 FTE	1 FTE	1 FTE
Total Estimated Net Effect on FTE	1 FTE	1 FTE	1 FTE

☐ Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§67.320

Officials at the **Office of the State Courts Administrator** assume the proposed legislation specifies that Buchanan County may have a municipal court division. There may be some impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

House Amendment 1 - §476.083:

In response to similar legislation this year, HB 1182, officials at the **Office of the State Courts Administrator (OSCA)** assumed this proposed legislation allows the presiding judge of certain circuits to appoint a circuit court marshal. Callaway County (Circuit 13), qualifies for the appointment of a state paid circuit court marshal and St. Francois County (Circuit 24) currently has a state paid circuit court marshal. Section 476.083.2 states "the salary of a circuit court marshal shall be established by the presiding judge of the circuit..., such salary shall not exceed ninety percent of the salary of the highest paid sheriff serving a county wholly or partially within that circuit."

Circuit Court Marshall	\$51,372
Fringes	<u>\$30,027</u>
Total	\$81,399

In response to similar legislation this year, HB 1182, officials at the **Department of Corrections** and the **Department of Mental Health** each assumed no fiscal impact to their respective agencies from this proposal.

House Amendment 2 - §479.155:

In response to similar legislation this year, HB 1199, officials at the **Office of the State Courts Administrator (OSCA)** assumed the proposed legislation requires municipal courts to report its existence to the Office of the State Courts Administrator by December 31, 2015. There may be some impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

In response to similar legislation this year, HB 1199, officials at the **City of Kansas City**, the **City of Columbia** and the **City of O'Fallon** each assumed no fiscal impact to their respective entities from this proposal.

ASSUMPTION (continued)

In response to similar legislation this year, HB 1199, officials at the **City of Jefferson** responded but did not provide **Oversight** with a response on fiscal impact.

Oversight assumes from this proposal that reporting requirements regarding municipal divisions are being updated and will reflect no impact on this fiscal note.

<u>FISCAL IMPACT - State Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
GENERAL REVENUE			
Cost - OSCA - Circuit Court Marshall for Callaway County (\$476.083)	<u>(Up to \$81,399)</u>	<u>(Up to \$81,399)</u>	<u>(Up to \$81,399)</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>(Up to \$81,399)</u>	<u>(Up to \$81,399)</u>	<u>(Up to \$81,399)</u>
Estimated Net FTE Change for General Revenue	1 FTE	1 FTE	1 FTE
<u>FISCAL IMPACT - Local Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
	<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

§67.320

This authorizes Buchanan County to prosecute and punish violations of its county orders in the circuit court.

§476.083

This allows the presiding judge of a circuit with a diagnostic and reception center or mental health facility which houses individuals found not guilty by reason of mental disease or defect and provides sex offender rehabilitation and treatment services to appoint a court marshal.

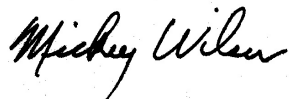
§479.155

This requires, by September 1, 2015, the presiding judge of each municipal division of a circuit court to report its name and address and any other requested information to the clerk of the supreme court. If a municipality elects to abolish or establish a municipal division, the presiding judge of the municipal division must report the dissolution or establishment to the clerk of the supreme court.

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 Corrections
Department of Mental Health
City of Kansas City
City of Columbia
City of O'Fallon



Mickey Wilson, CPA
Director
April 14, 2015

Ross Strobe
Assistant Director
April 14, 2015