

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5293-01
Bill No.: HB 1944
Subject: Drugs and Controlled Substances; Crimes and Punishment; Courts; Liability
Type: Original
Date: January 14, 2016

Bill Summary: This proposal establishes the Missouri Good Samaritan Law.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
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 2017	FY 2018	FY 2019
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Total Estimated Net Effect on FTE	0	0	0

☐ 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 2017	FY 2018	FY 2019
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Public Safety - Missouri Highway Patrol**, the **Office of Prosecution Services**, the **Office of the State Public Defender**, the **Office of the State Courts Administrator**, and the **Department of Health and Senior Services** each assume the proposal would not fiscally impact their respective agencies.

Officials from the **Department of Corrections (DOC)** state this legislation protects individuals from prosecution for seeking medical assistance for those who have overdosed, to include themselves, if evidence of the possession was acquired as a result on the person seeking emergency medical assistance for himself/herself or another.

This legislation may have a positive fiscal impact if it results in fewer individuals being convicted and sentenced to a term of incarceration as a result of such cases. It also may result in less lengthy terms of incarceration in cases where seeking medical assistance for a drug overdose is used as a mitigating circumstance.

The impact assessment estimates that one offender would not be sentenced to prison and two offenders would not be sentenced to probation. The reduction will comprise one offender serving one year in prison and three years on parole and two offenders serving three years on probation.

The FY15 average cost of supervision is \$6.04 per offender per day or an annual cost of \$2,205 per offender. The DOC cost of incarceration is \$16.809 per day or an annual cost of \$6,135 per offender.

In summary, the DOC assumes a savings of \$8,788 in FY 2017 (from 1 person not sent to prison and 2 persons not under supervision), \$17,503 in FY 2018 (1 person not sent to prison and 5 persons not under supervision), and \$24,736 in FY 2019 (1 person not sent to prison and 8 persons not under supervision).

Oversight will assume the potential savings to the DOC is not material and will not reflect it in this fiscal note.

<u>FISCAL IMPACT - State Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
	<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.

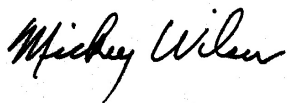
FISCAL DESCRIPTION

The proposed legislation appears to have no direct fiscal impact.

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 Prosecution Services
Office of the State Public Defender
Office of the State Courts Administrator
Department of Corrections
Department of Health and Senior Services



Mickey Wilson, CPA
Director

Ross Strope
Assistant Director

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