

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0984-01  
Bill No.: HB 572  
Subject: Crimes and Punishment; Parks and Recreation; Museums; Children and Minors  
Type: Original  
Date: January 27, 2017

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Bill Summary: This proposal prohibits registered sexual offenders from being 500 feet from children's museums, zoological parks, or other locations with the primary purpose of educating and entertaining children.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 5 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

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

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Department of Corrections (DOC)** state the bill addresses the existing offense of sex offender loitering. It extends the definition of places sex offenders may not loiter to include zoos, children's museums, and any place that has a primary purpose of entertaining and educating children.

While the bill does not create any new offenses, it does extend the definition to include more areas where sex offenders may not loiter. This could lead to the conviction of more offenders under statute 566.160 either for a first offense which is an E Felony or a second offense which is classified as a D Felony. In FY2016, there were 4 new admissions and 7 new probations under the E Felony.

The FY16 average cost of supervision is \$6.12 per offender per day or an annual cost of \$2,234 per offender. The DOC cost of incarceration is \$16.67 per day or an annual cost of \$6,085 per offender.

The DOC would assume this legislation will result in long term costs as indicated in the chart below.

	# to prison	Cost per year	Total Costs for <b>prison</b>		# to probation	Cost per year	Total cost for <b>probation and parole</b>	Grand Total - Prison and Probation (includes and 2% inflation
Year 1	1.0	(\$6,085)	(\$6,085)		1.0	(\$2,234)	(\$2,234)	(\$6,933)
Year 2	2.0	(\$6,085)	(\$12,170)		2.0	(\$2,234)	(\$4,468)	(\$16,671)
Year 3	3.0	(\$6,085)	(\$18,255)		3.0	(\$2,234)	(\$6,702)	(\$25,965)
Year 4	3.6	(\$6,085)	(\$21,906)		4.3	(\$2,234)	(\$9,606)	(\$33,441)
Year 5	3.6	(\$6,085)	(\$21,906)		5.3	(\$2,234)	(\$11,840)	(\$36,528)

**Oversight** assumes the DOC could implement the provisions of this proposal within existing appropriations and will not show a fiscal impact on their agency.

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

ASSUMPTION (continued)

Officials from the **Office of Prosecution Services (OPS)** assume the proposal would not have a measurable fiscal impact on their agency. The creation of a new crime creates additional responsibilities for county prosecutors which may, in turn, result in additional costs which are difficult to determine.

<u>FISCAL IMPACT - State Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
	<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.

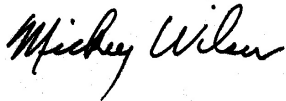
FISCAL DESCRIPTION

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  
Department of Corrections  
Office of the State Courts Administrator

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

Mickey Wilson, CPA  
Director  
January 27, 2017

Ross Strobe  
Assistant Director  
January 27, 2017