

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1301-02
Bill No.: HB 736
Subject: Crimes and Punishment; Criminal Procedure; Liability
Type: Original
Date: February 8, 2017

Bill Summary: This proposal establishes the “911 Good Samaritan Act” which gives a person immunity from criminal liability for a person who seeks medical assistance for a person experiencing a drug-related overdose or alcohol overdose.

FISCAL SUMMARY

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

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

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

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

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
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 2018	FY 2019	FY 2020
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

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

Officials from the **Department of Corrections (DOC)** state this legislation seeks to create a Good Samaritan Law in Missouri due to people dying of unreported drug overdoses and their fear of a drug conviction. This law will exclude criminal liability for possession of a controlled substance for those assisting an individual or the individual themselves in seeking emergency medical assistance for an overdose of a controlled substance. This fiscal note removes the limited immunity provisions for specific drug types and quantities offered in previous versions.

The estimated impact is that one less person will be sentenced to prison and two less people will be sentenced to probation each year. The reduction will comprise of one less person serving one year in prison and three years on parole and two less people serving three years on probation.

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 assumes savings of \$8,794 in FY 2018 (from 1 fewer persons in prison and 2 fewer persons on probation), \$17,600 in FY 2019 (from 1 fewer persons in prison and 5 fewer persons on probation), and \$24,925 in FY 2020 (from 1 fewer persons in prison and 8 fewer persons on probation).

Oversight assumes these estimated savings amounts are not material and will not reflect them in the fiscal note.

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

FISCAL IMPACT - Local Government

FY 2018
(10 Mo.)

FY 2019

FY 2020

\$0

\$0

\$0

FISCAL IMPACT - Small Business

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

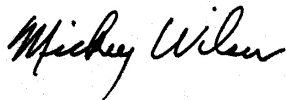
FISCAL DESCRIPTION

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



Mickey Wilson, CPA
Director
February 8, 2017

Ross Strope
Assistant Director
February 8, 2017