

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 6010-01
Bill No.: HB 2259
Subject: Criminal Procedure; Attorney General; Evidence; Law Enforcement Officers and Agencies; Victims of Crime
Type: Original
Date: February 16, 2018

Bill Summary: This proposal changes the laws regarding rape kits by requiring the attorney general to establish a system to track the status of the kits.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
General Revenue	(\$1,291,617 to \$2,291,617)	(\$416,576 to \$516,576)	(\$419,830 to \$519,830)
Total Estimated Net Effect on General Revenue	(\$1,291,617 to \$2,291,617)	(\$416,576 to \$516,576)	(\$419,830 to \$519,830)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
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 2019	FY 2020	FY 2021
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
General Revenue	4 FTE	4 FTE	4 FTE
Total Estimated Net Effect on FTE	4 FTE	4 FTE	4 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 2019	FY 2020	FY 2021
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials at the **Office of the Attorney General (AGO)** assume this proposal requires the Attorney General to establish and maintain an electronic system to track the status of rape kits in Missouri. The AGO assumes this system must be highly secured, maintain an accurate and auditable chain of custody, produce machine-readable identifiers for medical providers to track the physical components of the rape kits, and the electronic system must be accessible through a secure online portal to law enforcement and certain medical providers in all 114 counties and the City of St. Louis.

The AGO projects the initial cost of creating an appropriate electronic system to be a minimum of \$1,000,000 to \$2,000,000. Annual maintenance of the software are projected to be a minimum of \$100,000 to \$200,000. The AGO projects the following additional personnel will be required to maintain and administer the system: one IT Systems Administrator (at \$53,055 annually) to oversee the electronic system, one Assistant Attorney General III (at \$55,750) to serve as custodian of records and oversee proper compliance with applicable HIPAA and criminal law, and one secretary (at \$31,514) and one paralegal (at \$42,000) to perform clerical duties related to maintaining records and responding to inquiries for records. The AGO may request additional resources beyond those projected if costs exceed these initial estimates.

In summary, the AGO assumes the need for 4 FTE at an annual cost of approximately \$316,000 per year in addition to the programming expense.

Oversight inquired the AGO about the electronic tracking system. Currently, the AGO is not aware of any federal grant funding available for this system. The AGO will be using General Revenue Funds to create this system.

Officials at the **Department of Public Safety's Office of the Director** assume no fiscal impact from this proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2019 (10 Mo.)	FY 2020	FY 2021
GENERAL REVENUE FUND			
<u>Costs - AGO</u>			
Personal Service	(\$151,933)	(\$184,142)	(\$185,984)
Fringe Benefits	(\$81,084)	(\$97,842)	(\$98,389)
Equipment and Expenses	(\$58,600)	(\$34,592)	(\$35,457)
Initial Cost of electronic system	(\$1,000,000 to \$2,000,000)	\$0	\$0
Annual maintenance of software	\$0	(\$100,000 to \$200,000)	(\$100,000 to \$200,000)
<u>Total Costs - AGO</u>	(\$1,291,617 to <u>\$2,291,617</u>)	(\$416,576 to <u>\$516,576</u>)	(\$419,830 to <u>\$519,830</u>)
FTE Change - AGO	4 FTE	4 FTE	4 FTE
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	(\$1,291,617 to <u>\$2,291,617</u>)	(\$416,576 to <u>\$516,576</u>)	(\$419,830 to <u>\$519,830</u>)
Estimated Net FTE Change for General Revenue Fund	4 FTE	4 FTE	4 FTE
 <u>FISCAL IMPACT - Local Government</u>			
	FY 2019 (10 Mo.)	FY 2020	FY 2021
	<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

This bill establishes an electronic tracking system, established by the Missouri Attorney General, for evidentiary collection kits, and the bill specifies what the electronic tracking system shall involve. All appropriate medical providers shall have access to upload information into the electronic tracking system, and each person who may handle an evidentiary test kit shall be able to check its status, obtain reports, and receive status updates.

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 Attorney General
Department of Public Safety
Office of the Director

Ross Strope



Acting Director
February 16, 2018