

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1810-01
Bill No.: HB 903
Subject: Prisons and Jails; Department of Corrections; Crimes and Punishment
Type: Original
Date: April 29, 2019

Bill Summary: This proposal specifies that the Department of Corrections must issue offenders a photo id upon release.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
General Revenue	(\$5,525 to \$48,025)	(\$5,525 to \$48,025)	(\$5,525 to \$48,025)
Total Estimated Net Effect on General Revenue	(\$5,525 to \$48,025)	(\$5,525 to \$48,025)	(\$5,525 to \$48,025)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
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 2020	FY 2021	FY 2022
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§217.441 - Photo id for offenders upon release from DOC

Officials from the **Department of Corrections (DOC)** state this legislation requires the DOC to either issue or arrange for an offender to receive a license or non-driver's license from the department of revenue. The DOC currently has a process to assist offenders in obtaining a non-driver license identification card when they are about to be released from custody. The DOC does so pursuant to a voluntary memorandum of agreement with the Department of Revenue (DOR). HB 903 would enact section 217.441, requiring the DOC to arrange for incarcerated offenders to obtain a license. In addition to being mandatory, this statutory duty would differ from our current process.

The DOR provided the DOC with 15 licensing workstations (one at 15 different institutions) and the DOC has an annual maintenance agreement with DOR for \$16,575 (\$1,105 per work station.) DOC currently does not have DOR equipment at five (5) facilities. It is assumed the DOR would continue to provide necessary equipment; however, there will be a fiscal impact for the annual maintenance agreement for the additional work stations. If this assumption is not correct, there is the cost to purchase the DOR equipment and maintain that equipment at every facility.

\$ 5,525 = 5 additional workstations x \$1,105 annual maintenance per workstation

\$42,500 = 5 x \$8,500 purchase price per workstation if not provided by DOR

\$48,025 = Total cost of 5 additional workstations with maintenance

Oversight does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect DOC's negative impact of \$5,525 to \$48,025 to the General Revenue Fund for fiscal note purposes.

DOC notes, as defined in Section 217.010(5), "department" means the Department of Corrections. The DOC has no authority to issue a license. This responsibility rests with the Department of Revenue. Additionally, one interpretation of this statute is that the license must be obtained before the offender is released. Another interpretation is that before the offender is released, the DOC would merely arrange for him or her to receive a license after his or her release.

DOC notes section 217.441 does not state who is responsible for the license fee. Therefore, the DOC assumes the offender would be responsible for the cost of the license fee.

ASSUMPTION (continued)

Oversight notes DOC currently has a process to assist offenders in obtaining a non-driver license identification card prior to being released from custody. According to DOC, if the offender has more than \$50 in their offender account, the offender pays the fee. However, if the offender has less than \$50 in their account, the state pays the fee for the photo id. DOC did not know how many identification cards the state paid for on an annual basis.

Officials from the **Department of Revenue (DOR)** state this proposal requires the DOC to issue or arrange for the issuance of a driver license or non-driver license identification card to all incarcerated offenders prior to their release unless the offender elects not to receive a driver license or nondriver license identification card prior to release.

Administrative Impact

The proposed legislation may require the DOR to obtain an amended Memorandum of Agreement (MOA) with the DOC if the DOC requests additional facilities to be granted access and equipment to issue non-driver licenses to meet this requirement. This would require additional DOC employees to be granted access to the Driver License Bureau systems. The proposed legislation may require amendments to our current vendor contract to facilitate the procurement of equipment for the DOC, if additional equipment is required.

The potential increase in volume of documents issued by the DOC is unknown. If the volume would increase substantially, the DOR may require additional FTE to review the additional issuance transactions. The additional FTE would be requested through the normal appropriations process.

To implement the proposed legislation, the DOR will be required to:

- Work with the DOC to amend the current MOA if additional employee access is required;
- Grant access to the Missouri Electronic Driver License (MEDL) Central Issuance system and the Missouri Driver License System (MODL) for additional DOC employees if required; and
- Work with the Office of Administration to amend the current license issuance vendor contract to facilitate the procurement of additional equipment for the DOC, if required.

FY 2020 - Driver License Bureau

Management Analysis Spec II	15 hrs. @ \$20.57 per hr.	= \$309
Revenue Manager	10 hrs. @ \$20.59 per hr.	= <u>\$206</u>
Total Cost		= \$515

The DOR anticipates being able to absorb these costs. Therefore, Oversight will reflect a zero impact on the fiscal note for DOR.

ASSUMPTION (continued)

Officials from the **Department of Transportation (MoDOT)** state this bill has the potential to cause a negative fiscal impact on MoDOT. Additionally, MoDOT states the language is unclear whether the state would have to absorb the cost of these licenses or if the offender would be obligated to pay for them.

Oversight notes MoDOT receives a percentage of the fee from each driver's license issued by DOR. Oversight notes the process of issuing a non-driver's license is already in place through a MOA between DOC and DOR. This bill would also include the issuance of a driver's license. Oversight assumes the impact to MoDOT would not change assuming the drivers license fee would still be collected.

<u>FISCAL IMPACT - State Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
GENERAL REVENUE FUND			
<u>Costs - DOC (\$217.441)</u>			
Additional workstations and/or annual maintenance agreements	<u>(\$5,525 to \$48,025)</u>	<u>(\$5,525 to \$48,025)</u>	<u>(\$5,525 to \$48,025)</u>
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>(\$5,525 to \$48,025)</u>	<u>(\$5,525 to \$48,025)</u>	<u>(\$5,525 to \$48,025)</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
	<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 requires the Department of Corrections to issue or arrange for an offender, prior to his or her release, to receive a driver's license or a nondriver's license. The department does not need to act if the offender elects not to receive a license prior to his or her release.

FISCAL DESCRIPTION (continued)

The DOC and DOR have entered into a Memorandum of Agreement (MOA) wherein the DOC issues a Missouri non-driver license identification card to offenders who are about to be released from custody. The documentation required to obtain a non-driver's license identification card is collected by the DOC and reviewed by the DOR prior to the printing of the document.

This legislation is not federally mandated and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Corrections
Department of Revenue
Department of Transportation



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April 29, 2019

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Assistant Director
April 29, 2019