

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 2347-03  
Bill No.: Perfected HCS for HB 1151  
Subject: Crimes and Punishment; Criminal Procedure; Sexual Offenses; Highway Patrol  
Type: Original  
Date: April 17, 2019

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Bill Summary: This proposal modifies provisions relating to sexual offenders.

**FISCAL SUMMARY**

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
<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 2020	FY 2021	FY 2022
<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 2020	FY 2021	FY 2022
<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 2020	FY 2021	FY 2022
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

#### §§217.735, 559.106, 589.400, 589.401, and 589.414 - Relating to sexual offenders

Officials from the **Department of Corrections (DOC)** state the DOC is responsible for supervising those who are charged with failure to register. Failure to register as a sex offender is in violation of 589.425, RSMo, with penalties of class D, E or unclassified felonies. While this bill proposes no new penalties, the expanded registry population increases the potential of a violation of 589.425, RSMo, and other restrictions such as housing. On December 31, 2017, the Missouri sex offender registry had 15,882 individuals. An audit by the Office of State Auditor discovered 1,259 sex offenders (7.9%) noncompliant with registration. In FY18, the number of convictions for failure to register is 85 persons (6.8% of those who are noncompliant on registration). Of those who must register because of passage of FN 2347-03, three would be expected to fail to register; however only 6.8% noncompliant on registration are convicted. Therefore, we would expect no one would be convicted because of failure to register with enactment of this bill.

**Oversight** does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect DOC's no impact for fiscal note purposes.

**Oversight** notes that the **Department of Public Safety - Missouri State Highway Patrol (MHP)** has stated the proposal would not have a direct fiscal impact on their organization. Missouri's current legislation has already been deemed substantially compliant with the Sex Offender Registration and Notification Act (SORNA), and components of this proposed legislation would be more restrictive than SORNA.

**Oversight** notes that the **Attorney General's Office, Department of Health and Senior Services, Department of Mental Health, Department of Social Services, Missouri Office of Prosecution Services, Office of State Courts Administrator and Joplin Police Department** have stated the proposal would not have a direct fiscal impact on their organizations.

In response to a previous version, the **Springfield Police Department, St. Louis County Police Department, St. Louis County Department of Justice Services and St. Louis County** stated the proposal would not have a direct fiscal impact on their organizations.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

ASSUMPTION (continued)

**Oversight** only reflects the responses that we have received from state agencies and political subdivisions; however, other police and sheriffs' departments, counties and the City of St. Louis were requested to respond to this proposed legislation but did not. For a general listing of political subdivisions included in our database, please refer to [www.legislativeoversight.mo.gov](http://www.legislativeoversight.mo.gov).

House Amendment (HA) 1:

Officials from the **Attorney General's Office, Department of Health and Senior Services, Department of Mental Health, Department of Corrections, Department of Public Safety - Missouri State Highway Patrol, Department of Social Services, Missouri Office of Prosecution Services, Office of State Courts Administrator and State Public Defender's Office** each assume the amendment would not change their fiscal impact estimates on the underlying HCS version.

**Oversight** has no information to the contrary, therefore, Oversight assumes HA 1 has no additional fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
	<u>\$0</u>	<u>\$0</u>	<u>\$0</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

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

Attorney General's Office  
Department of Health and Senior Services  
Department of Mental Health  
Department of Corrections  
Department of Public Safety -  
    Missouri State Highway Patrol  
Department of Social Services  
Missouri Office of Prosecution Services  
Office of State Courts Administrator  
State Public Defender's Office  
Joplin Police Department  
Springfield Police Department  
St. Louis County Police Department  
St. Louis County Department of Justice Services  
St. Louis County



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April 17, 2019

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