

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0814H.02C
 Bill No.: HCS for HB 90
 Subject: Courts; Fees
 Type: Original
 Date: February 14, 2023

Bill Summary: This proposal modifies provisions relating to court automation.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
General Revenue**/**	(\$1,666,667)	(\$2,000,000)	(\$2,000,000)
Total Estimated Net Effect on General Revenue	(\$1,666,667)	(\$2,000,000)	(\$2,000,000)

*The current appropriation (12.320) for the Statewide Court Automation program includes a \$2 million General Revenue supplement – which Oversight assumes will continue if the sunset date is extended to 2029 with this proposal.

**Oversight also assumes, should the Statewide Court Automation Fund be extended to September 1, 2029, there will be no transfer of the unexpended balance to the General Revenue Fund after September 1, 2023 as currently required in §476.055.1 RSMo. Oversight notes the current balance for Fund 0270 as of December 31, 2022 was \$5,030,475.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Statewide Court Automation Fund (0270)	\$1,175,595	\$1,410,714	\$1,410,714
Total Estimated Net Effect on <u>Other</u> State Funds	\$1,175,595	\$1,410,714	\$1,410,714

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
State Court Automation Fund (0270)*	34 FTE	34 FTE	34 FTE
Total Estimated Net Effect on FTE	34 FTE	34 FTE	34 FTE

*Oversight notes these are current positions and this bill simply extends the sunset of the Statewide Court Automation fund

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

In response to a previous version, officials from the **Office of the State Courts Administrator (OSCA)** assumed this proposal extends the expiration dates for provisions relating to the Statewide Court Automation Fund. §476.055 would extend the Statewide Court Automation Fund until September 1, 2029. The Statewide Court Automation Fund’s annual appropriation is approximately \$6.6 million and 34 FTE.

Officials from the **Missouri Office of Prosecution Services** and the **Office of the State Public Defender** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Oversight notes the Statewide Court Automation Fund is a statutorily created fund and was created to build and sustain "an integrated court system that renders geography largely irrelevant...with greater efficiency, wider access, and enhanced accountability" for the litigant and taxpayer. This plan includes installation and ongoing development of Show-Me Courts, Show-Me Jury, Case.net, eFiling, Track This Case, Pay-By-Web, eBench, and other software packages. The fund is set to expire September 1, 2023.

The fund has a court fee of \$7 per case and has received the following receipts during FY19 – FY22:

STATEWIDE COURT AUTOMATION FUND (0270)	
	<u>Receipts</u>
FY 19	\$ 4,205,465
FY 20	\$ 3,889,127
FY 21	\$ 3,632,708
FY 22	\$ 4,500,815
Total	\$ 16,228,115
4 year average	\$ 4,057,029
Source: State Treasurer Fund Activity Reports	

Oversight notes the appropriation for the Statewide Court Automation program is made up of General Revenue Funds and funds from the Statewide Court Automation Fund. Below is a history of the expended funds for the last three fiscal years:

STATEWIDE COURT AUTOMATION				
	<u>Appropriation</u>	<u>General Revenue</u>	<u>Statewide Court Automation Fund</u>	<u>Unexpended Fund</u>
FY 20	\$ 7,276,217	\$ 2,000,000	\$ 3,269,800	\$ 2,006,417
FY 21	\$ 7,302,126	\$ 2,000,000	\$ 2,330,611	\$ 2,971,515
FY 22	\$ 7,336,965	\$ 2,000,000	\$ 2,338,534	\$ 2,998,431
Average	\$ 7,305,103	\$ 2,000,000	\$ 2,646,315	\$ 2,658,788
Source: FY 24 OSCA Budget Requests Book				

Oversight notes this proposal will extend the program until September 1, 2029. If this proposal is extended, Oversight assumes revenue and expenditures will continue for the fund and will therefore use the average amount, from the tables above, to reflect the fiscal impact over the next 3 years for this fund.

The appropriations for the Statewide Court Automation Fund includes 34 FTEs. **Oversight** assumes should this proposal be extended, the 34 FTEs will also continue to be funded through the Statewide Court Automation program and will be reflected in the table below.

<u>FISCAL IMPACT – State Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026
GENERAL REVENUE			
<u>Cost – OSCA – continuation of expenditures (\$476.055)</u>	<u>(\$1,666,667)</u>	<u>(\$2,000,000)</u>	<u>(\$2,000,000)</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>(\$1,666,667)</u>	<u>(\$2,000,000)</u>	<u>(\$2,000,000)</u>
STATEWIDE COURT AUTOMATION FUND (0270)			
<u>Revenue – OSCA – continuation of receipts received from \$7 court fee (\$476.055)</u>	\$3,380,858	\$4,057,029	\$4,057,029
<u>Cost – OSCA – continuation of expenditures (\$476.055)</u>	<u>(\$2,205,263)</u>	<u>(\$2,646,315)</u>	<u>(\$2,646,315)</u>
FTE Change (continuation) – OSCA (\$476.055)	34 FTE	34 FTE	34 FTE
ESTIMATED NET EFFECT ON THE STATEWIDE COURT AUTOMATION FUND	<u>\$1,175,595</u>	<u>\$1,410,714</u>	<u>\$1,410,714</u>
Estimated Net FTE Change (continuation) for the Statewide Court Automation Fund	34 FTE	34 FTE	34 FTE

<u>FISCAL IMPACT – Local Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026
	<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.

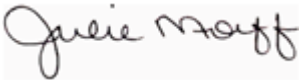
FISCAL DESCRIPTION

This bill provides that any unexpended balance remaining in the Statewide Court Automation Fund shall be transferred to General Revenue on September 1, 2029, rather than September 1, 2023, as provided in current law. Additionally, the court fee collected for the Statewide Court Automation Fund shall expire on September 1, 2029, rather than September 1, 2023. Finally, this bill repeals the provision requiring the Court Automation Committee to complete its duties by September 1, 2025, and repeals the expiration date for the provision establishing the Statewide Court Automation Fund and the Court Automation Committee.

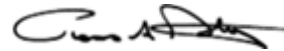
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the State Courts Administrator
Office of the State Public Defender
Missouri Office of Prosecution Services



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February 14, 2023



Ross Strobe
Assistant Director
February 14, 2023