

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0432-01
Bill No.: HB 143
Subject: Tobacco Products; Crimes and Punishment
Type: Original
Date: January 29, 2015

Bill Summary: This proposal doubles the fine for littering with cigarettes or cigars.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
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 2016	FY 2017	FY 2018
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
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 2016	FY 2017	FY 2018
Local Government	Under \$100,000	Under \$100,000	Under \$100,000

FISCAL ANALYSIS

ASSUMPTION

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

This proposal would double the fine for the offense of littering when it involves cigarettes or cigars. According to the Missouri Highway Patrol, there were 246 tickets written in 2014 for the offense of littering from Section 577.070. **Oversight** does not have information regarding how many of those tickets were issued for littering with cigars or cigarettes.

Currently, littering under Section 577.070 is a class A misdemeanor and carries a possible fine that shall not exceed \$1,000. Starting January 1, 2017, littering under Section 577.070 will be a class C misdemeanor, which carries a fine not to exceed \$300. Fine revenue is distributed to local school districts.

Oversight assumes the proposal would not increase the number of tickets issued for littering and therefore would not impact the other court costs (court automation, head injury, crime victim's compensation, etc.) that receive funds from issued tickets. Therefore, Oversight will only reflect a potential increase in fine revenue to local school districts.

Fine revenue received by school districts is used in the calculation to determine the distribution of K-12 education funding from the state. However, the calculation for school districts that are considered 'hold harmless' would not be impacted by fine revenue collections. Also, since education is not currently fully funded, additional fine revenue collected and given to local schools would not correlate to a savings to the state. Therefore, Oversight will only reflect additional fine revenue impacting local school districts. Oversight will assume total additional income of under \$100,000 per year.

<u>FISCAL IMPACT - State Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
SCHOOL DISTRICTS			
<u>Income</u> - from doubling the fine on littering cigarettes and/or cigars	Under <u>\$100,000</u>	Under <u>\$100,000</u>	Under <u>\$100,000</u>
ESTIMATED NET EFFECT TO SCHOOL DISTRICTS	Under <u>\$100,000</u>	Under <u>\$100,000</u>	Under <u>\$100,000</u>

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

This proposal specifies that an individual commits the crime of littering if he or she throws, or places or causes to be thrown or placed, cigarettes or cigars on specified property or in any waters in this state. The fine imposed must be twice the amount imposed for a littering offense not involving cigarettes or cigars.

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
Office of the State Courts Administrator
Department of Corrections



Mickey Wilson, CPA

Ross Strobe

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Director
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Assistant Director
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