

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3081-01
Bill No.: HB 1165
Subject: Banks and Financial Institutions; Credit and Bankruptcy; Crimes and Punishment
Type: Original
Date: January 9, 2002

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
None			
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Prosecution Services** assume the proposed legislation would have no fiscal impact on prosecutors.

Officials from the **Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on the courts.

Officials from the **Office of State Public Defender** assume existing staff could provide representation for the criminal credit card fraud cases in the venue where the case is being heard. If the venue changes frequently, it may be necessary to request staffing to do the additional travel.

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

The proposal could result in a fiscal impact to small businesses that are defrauded, due to increased travel expenses caused by a change in venue.

DESCRIPTION

The proposed legislation would establish the venue in which the individual could be prosecuted if charged with fraudulent use of a credit card device, or any stealing offense involving another's credit card number, check, or checking account number. Currently, the venue for criminal offenses is either in the county in which the offense was committed or in any county where any element of the offense was committed if the offense was committed in more than one county. This proposal would allow a prosecution for the fraudulent use of credit cards or stealing

involving the fraudulent use of a credit card, check, or checking account to take place in the

DESCRIPTION (continued)

current venues, as well as in the county where the defendant resides, the county where the victim resides, or the county in which the property obtained was located.

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



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Acting Director

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