

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4108-02  
Bill No.: HB 1759  
Subject: Banks and Financial Institutions: Crimes and Punishment; Liability  
Type: Original  
Date: February 22, 2002

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 3 pages.

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Department of Corrections (DOC)** indicated there would be no fiscal impact for a ten year period. DOC did indicate there could be a possible positive impact in that conceivably fewer people might be prosecuted for passing bad checks as result of this proposed legislation.

Officials from the **Department of Economic Development - Division of Finance and Division of Credit Unions, Office of State Courts Administrator, and Office of State Public Defender** stated there would be no fiscal impact to their agencies.

Officials from the **Office of Prosecution Services** indicated there would be no cost to prosecutors resulting from this proposal.

<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

Small business could be positively affected due to fewer costs related to pursuing prosecution.

### DESCRIPTION

This proposed legislation clarifies the crime of passing a bad check by providing that a person does not commit the crime of passing a bad check if he or she issues a check to another person and that person accepts the check knowing that there are insufficient funds in the account and with the understanding that the check will not be presented for payment until a later date.

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

LMD:LR:OD (12/01)

Department of Corrections  
Department of Economic Development  
Division of Finance  
Division of Credit Unions  
Office of State Courts Administrator  
Office of Prosecution Services  
Office of State Public Defender

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, slightly slanted style.

Mickey Wilson, CPA  
Acting Director  
February 22, 2002