

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0457-01
Bill No.: HB 69
Subject: Crimes and Punishment; Criminal Procedure
Type: Original
Date: January 28, 2003

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
None			
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
None			
Total Estimated Net Effect on Other 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 2004	FY 2005	FY 2006
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Public Safety – Missouri State Highway Patrol** and the **St. Louis Metropolitan Police Department** assume the proposed legislation would have no fiscal impact on their agencies.

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 Prosecution Services** assume the proposed legislation would have no fiscal impact on prosecutors.

Officials from the **Office of State Public Defender** assume existing staff could provide representation for those few cases arising where indigent persons were charged with crimes due to the increased holding time from 20 to 24 hours. Passage of more than one bill increasing penalties on existing crimes or creating new crimes would require the State Public Defender System to request increased appropriations to cover the cumulative cost of representing indigent persons accused in the now more serious cases or in the new additional cases.

ASSUMPTION (continued)

Officials from the **Department of Corrections (DOC)** assume they could not predict the number of new commitments which could result from the creation of the offense(s) outlined in the proposal. An increase in commitments would depend on the utilization of prosecutors and the actual sentences imposed by the courts.

If additional persons were sentenced to the custody of the DOC due to the provisions of this legislation, the DOC would incur a corresponding increase in operational costs through supervision provided by the Board of Probation and Parole (FY 01 average \$3.10 per offender, per day, or an annual cost of \$1,132 per offender).

Supervision by the DOC through probation would result in some additional costs, but DOC officials assume that the impact would be \$0 or a minimal amount that could be absorbed within existing resources.

In response to a similar proposal from the current session, officials from the **Greene County Sheriff's Department** assumed the proposed legislation would have no fiscal impact on their agency.

In response to a similar proposal from the current session, officials from the **Columbia Police Department** assumed the proposal could result in possible savings for not having to call in an officer or typist to finish reports prior to the jail releasing a suspect. More time would allow for the paperwork to get to the prosecutor through normal routine channels.

In response to a similar proposal from a previous session, officials from the **Jefferson City Police Department** assumed the proposed legislation would have no fiscal impact on their agency.

In response to a similar proposal from a previous session, officials from the **Boone County Sheriff's Department** assumed there would be an increase in costs of approximately \$5,000 per year to their agency for the increased time that they will have to house the people arrested.

Oversight assumes there could be some increase in local jail populations as a result of this proposal. However, Oversight assumes this would be at the discretion of the political subdivisions and any fiscal impact to them should be minimal.

<u>FISCAL IMPACT - State Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
	<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.

DESCRIPTION

Currently, individuals arrested and detained without a warrant for certain offenses may be detained for up to 24 hours before charges are filed, and others who are arrested and detained without a warrant may be detained for up to 20 hours. The proposed legislation would make 24 hours the detention time limit for all individuals who are arrested and detained without a warrant.

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 State Courts Administrator
Department of Corrections
Department of Public Safety
 – Missouri State Highway Patrol
Office of Prosecution Services
Office of State Public Defender
St. Louis Metropolitan Police Department
Jefferson City Police Department
Columbia Police Department
Boone County Sheriff's Department
Greene County Sheriff's Department

L.R. No. 0457-01
Bill No. HB 69
Page 5 of 5
January 28, 2003

NOT RESPONDING

Jefferson City Police Department
Columbia Police Department
Boone County Sheriff's Department
Greene County Sheriff's Department



Mickey Wilson, CPA
Director
January 28, 2003