

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

LR No.: 1113-01
Bill No.: HB 318
Subject: Counties: Municipal County Courts
Type: Original
Date: March 11, 2003

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
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
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
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 of the **Office of State Courts Administrator** assume this proposal would allow Cass County to establish a municipal court to prosecute ordinance violations. The court would have jurisdiction over county ordinances and municipal ordinances if the municipality contracts with the court to prosecute municipal violations.

The population of Cass County has increased almost 29% between 1900 and 2000, and the workload of the circuit court has increased with the population. The number of cases filed in Cass County increased 8.3% between FY 01 and FY 02 alone. Ordinance violation cases are the least time consuming in terms of clerical workload. Cass County, along with 48 other Missouri counties, qualifies for an additional FTE as determined by the weighted workload criteria established by the Circuit Court Budget Committee. Therefore, any minor decrease in the workload of the court would not affect the needed clerical staff in Cass County. Officials stated that at this time they are unable to estimate the impact on the costs and fees assessed in each case. Currently, clerk fees are not assessed in county ordinance cases. Court fees would be assessed depending on each individual statute.

ASSUMPTION (continued)

On balance, court officials do not anticipate any significant cost or savings to the state as a result of this proposal.

Officials of the **Department of Elementary and Secondary Education** stated that they do not know how much additional money might be distributed to schools. Officials stated that any increase in money would become a deduction in the foundation formula the following year. Therefore, the affected districts would see an equal decrease in the amount of funding received through the formula, unless the affected districts are hold-harmless, in which case the districts would not see a decrease in the amount of funding received through the formula, (any increase in fine money distributed to the hold-harmless districts would simply be additional money). An increase in the deduction (all other factors remaining constant) reduces the cost to the state of funding the formula with a proration factor of 1.00.

Cass County Officials assume no fiscal impact.

In Response to identical legislation of this session, fiscal note 415-01, the following departments issued the following statements:

Officials of the **Office of Prosecution Services** assume the impact on the collection of court surcharges to their office and the prosecutor training fund would depend on whether violations of county ordinances which are now being prosecuted if any are instead prosecuted as violations of municipal ordinances as many overlap. Officials assume this proposal merely authorizes the prosecution of either in the courts. It does not impact costs.

Officials of the **Department of Revenue** assume no fiscal impact.

Oversight assumes this proposal as written does not require Cass County to establish a court system and is therefore permissive. This proposal would have no fiscal impact unless the County's governing body would elect to establish a court system as provided for by this proposal.

<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
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	<u>\$0*</u>	<u>\$0*</u>	<u>\$0*</u>
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*** Oversight assumes this proposal is permissive.**

FISCAL IMPACT - Small Business

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

DESCRIPTION

This bill allows the Cass County Commission to establish a county municipal court by county ordinance. The county municipal court would have jurisdiction over county ordinance violations and municipal ordinance violations for municipalities with which the county has a contract to prosecute. The County Commission would establish by ordinance the number of judges to be appointed, their qualifications, the court's term and hours, pleading and appearance policies, and court costs.

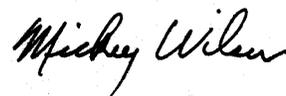
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of State Courts Administrator
Office of Prosecution Services
Department of Revenue
Cass County Commission

NOT RESPONDING

None



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Director

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