

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1879-01
Bill No.: HB 764
Subject: Attorneys; Courts; City of Kansas City; Political Subdivisions
Type: Original
Date: April 10, 2013

Bill Summary: This proposal allows the City of Kansas City to collect an additional seven dollars in municipal ordinance violation cases.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
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 2014	FY 2015	FY 2016
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on FTE	0	0	0

Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Local Government	\$0 or \$326,667	\$0 or \$490,000	\$0 or \$490,000

FISCAL ANALYSIS

ASSUMPTION

§ 488.2230 - Court Costs for Certain Municipal Ordinance Violations in Kansas City:

Officials from the **Office of State Courts Administrator, Office of Prosecution Services, and State Public Defender's Office** each assume the proposal would not fiscally impact their respective agencies.

Officials from the **City of Kansas City (KC)** estimate the additional costs of \$7 per municipal ordinance violation to fund special mental health, drug and veterans courts and indigent defense will result in the following additional revenues per year.

FY14: \$326,667

FY15: \$490,000

FY16: \$490,000

Oversight assumes this proposal allows KC to charge an additional \$7 dollars in municipal ordinance violation cases.

Oversight assumes this proposal could result in additional revenues to KC if the city chooses to collect additional revenue for court costs. However, the proposal is permissive, and for the purpose of the fiscal note, **Oversight** will show a direct fiscal impact of \$0 or \$326,667 in FY14, \$0 or \$490,000 in FY15, and \$0 or \$490,000 in FY16 to KC.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
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CITY OF KANSAS CITY

Revenue - KC

§ 488.2230 - Additional \$7 for municipal ordinance violation cases	<u>\$0 or \$326,667</u>	<u>\$0 or \$490,000</u>	<u>\$0 or \$490,000</u>
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ESTIMATED NET EFFECT ON THE CITY OF KANSAS CITY	<u>\$0 or \$326,667</u>	<u>\$0 or \$490,000</u>	<u>\$0 or \$490,000</u>
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FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

§ 488.2230 - Court Costs for Certain Municipal Ordinance Violations in Kansas City:

This proposal allows the City of Kansas City to impose an additional court cost of up to \$7 fee per case for each municipal ordinance violation. The additional cost cannot be collected in any proceeding involving a violation when the proceeding or the defendant has been dismissed by the court. The judge may waive the assessment of the additional cost if the judge finds the defendant to be indigent and unable to pay the costs.

The city must only use the additional costs to fund special drug, mental health, and veterans courts, including indigent defense and ancillary services.

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

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SOURCES OF INFORMATION

Office of State Courts Administrator
Office of Prosecution Services
State Public Defender's Office
City of Kansas City



Ross Strobe
Acting Director
April 10, 2013