

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. NO.: 3220-01  
BILL NO.: HB 1641  
SUBJECT: Health Care; Public Health  
TYPE: Original  
DATE: February 29, 2000

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
General Revenue	\$0	\$0	\$0
Trauma Center Fund	\$0	\$0	\$0
<b>Total Estimated Net Effect on <u>All</u> State Funds*</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**\*Revenue and costs of \$487,500 annually net to \$0**

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 4 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Health, Department of Public Safety - Missouri Highway Patrol, Office of the Attorney General, and Office of the State Treasurer** assume the proposed legislation would have no fiscal impact on their agencies.

Officials from the **Office of the State Courts Administrator (CTS)** assume the proposed legislation would impose a \$25 surcharge on intoxication-related traffic and weapons-related cases where there is a conviction, with the proceeds going into a trauma center fund administered by the state treasurer. The proposal would require clerks to make decisions in cases as to whether the surcharge should be taxed. This would involve clerks readily identifying the type case at disposition and would be subject to some error. In fiscal year 1999, CTS identified approximately 20,000 cases where the surcharge might be taxed, although it is difficult to match criminal charge codes at disposition in an easy to implement manner. Thus, in theory, as much as \$500,000 might be collected; however, a significant percentage of convicted defendants are indigent and collection is unlikely. Therefore, we would expect actual collections to be somewhat less than the theoretical amount.

**Oversight** assumes the dollar amount provided by CTS is adequate for the purposes of this fiscal note. Based on the projected \$500,000 in court costs to be collected, Oversight has calculated the amount to be provided to cover administrative costs of the circuit clerks, Office of the State Treasurer, and Department of Health.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
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**GENERAL REVENUE FUND**

Office of the State Treasurer

<u>Income</u> - Administrative reimbursement	\$4,875	\$4,875	\$4,875
<u>Cost</u> - Administrative costs	(\$4,875)	(\$4,875)	(\$4,875)
Total - STO	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

Department of Health

<u>Income</u> - Administrative reimbursement	\$7,313	\$7,313	\$7,313
<u>Cost</u> - Administrative costs	(\$7,313)	(\$7,313)	(\$7,313)
Total - DOH	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

**TRAUMA CENTER FUND**

Office of the State Treasurer

<u>Income</u> - Transfer from Circuit Clerks	\$487,500	\$487,500	\$487,500
<u>Cost</u> - Distribution to trauma regions	(\$475,313)	(\$475,313)	(\$475,313)
<u>Cost</u> - Transfer administrative reimbursement to STO	(\$4,875)	(\$4,875)	(\$4,875)
<u>Cost</u> - Transfer administrative reimbursement to Department of Health	<u>(\$7,313)</u>	<u>(\$7,313)</u>	<u>(\$7,313)</u>

<b>ESTIMATED NET EFFECT ON TRAUMA CENTER FUND</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
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<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
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**CIRCUIT CLERKS**

<u>Income</u> - Court costs	\$487,500	\$487,500	\$487,500
<u>Income</u> - Court costs - Administrative reimbursement to Circuit Clerk	\$12,500	\$12,500	\$12,500
<u>Cost</u> - Distributions to State Treasurer	(\$487,500)	(\$487,500)	(\$487,500)
<u>Cost</u> - Administrative cost - Circuit Clerk	<u>(\$12,500)</u>	<u>(\$12,500)</u>	<u>(\$12,500)</u>
Total - Circuit Clerks	<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

The proposed legislation requires persons who are found guilty or who enter a plea of guilty or nolo contendere (no contest) to an intoxication-related traffic offense as defined in Section 577.023, RSMo, or any weapons offense as defined in Chapter 571, to pay an additional court

DESCRIPTION (continued)

cost of \$25 to the clerk of the court. The additional cost, less 2-1/2% (used for administrative costs by the clerk of the court), will be remitted to the State Treasurer for deposit in the Trauma Center Fund within 60 days. The additional court cost will not be considered part of the fine imposed by the court. No later than March 1st of each year, the circuit clerk is required to submit a report on the amount of additional court costs remitted to the State Treasurer as stated in the proposal. The proposal also authorizes the establishment of the Trauma Center Fund in the state treasury. The State Treasurer, in consultation with the Department of Health, will distribute moneys in the fund on a quarterly basis to designated trauma centers located in Missouri. Provisions concerning the allocation of moneys in the fund and the calculation of payments to designated trauma centers are stated in the proposal. The department is required to provide the State Treasurer with all necessary information in order to distribute payments as stated in the proposal. The Department of Health and the State Treasurer are allowed to receive a specified percentage of the moneys in the fund to cover administrative costs. Moneys in the Trauma Center Fund will not revert to the General Revenue Fund at the end of the biennium.

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 the State Courts Administrator  
Department of Health  
Office of the State Treasurer  
Department of Public Safety - Missouri Highway Patrol  
Office of the Attorney General

**NOT RESPONDING: Circuit Clerk of the City of St. Louis, St. Louis County Circuit Clerk, Cole County Circuit Clerk, Greene County Circuit Clerk, Boone County Circuit Clerk, and Jackson County Circuit Clerk**



Jeanne Jarrett, CPA  
Director  
February 29, 2000