

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO.: 4464-01
BILL NO.: HB 1987
SUBJECT: Modifies Certain Offenses Against Children
TYPE: Original
DATE: March 2, 2000

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
General Revenue	Exceeds (\$100,000)	Exceeds (\$100,000)	Exceeds (\$100,000)
Total Estimated Net Effect on <u>All</u> State Funds	Exceeds (\$100,000)	Exceeds (\$100,000)	Exceeds (\$100,000)

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

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

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator** assume this proposal will not fiscally affect their agency.

Officials from the **Office of State Public Defender (SPD)** stated for the purpose of this proposal, the SPD has assumed existing staff could provide representation for those 25 to 50 cases arising where indigent persons were charged with causing children 14 to 16 years of age to have sexual contact with either the offender or another, with the Internet to arouse or satisfy the sexual desires of the child, the offender or another. However, passage of more than one similar proposal would require the SPD to request increased appropriations to cover cumulative costs of representing the indigent accused in the additional cases.

Officials from the **Office of Prosecution Services** did not respond to our request for fiscal impact. However, for a similar proposal from this session the OPS assumed the duties could be absorbed with existing resources.

Officials from the **Department of Corrections (DOC)** has not responded to Oversight's request for fiscal information nor have they provided a ten-year prison impact statement as required by Section 217.022 RSMo. However, **Oversight** assumes the proposal could result in more offenders being incarcerated or placed on probation. Additional costs for supervision and care by the DOC, although unknown, would likely exceed \$100,000 annually.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
GENERAL REVENUE FUND			
<u>Costs - Department of Corrections</u>	Exceeds	Exceeds	Exceeds
Increased Prison or Probation Costs	<u>(\$100,000)</u>	<u>(\$100,000)</u>	<u>(\$100,000)</u>
ESTIMATED EFFECT ON			
GENERAL REVENUE FUND			
	<u>Exceeds</u>	<u>Exceeds</u>	<u>Exceeds</u>
	<u>(\$100,000)</u>	<u>(\$100,000)</u>	<u>(\$100,000)</u>
<u>FISCAL IMPACT - Local Government</u>			
	FY 2001 (10 Mo.)	FY 2002	FY 2003
	\$0	\$0	\$0

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FISCAL IMPACT - Small Business

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

DESCRIPTION

This proposal makes several changes to provisions relating to sexual offenses committed against children. The proposal adds to the definition of "sodomy in the first degree" the act of causing a person less than 14 to have deviate sexual intercourse with an animal or another person.

The proposal changes the definition of "child molestation in the first degree." It may be committed when a person subjects a child less than 14 to sexual contact. Currently, child molestation is committed when a child less than 12 is subjected to such contact. The proposal also adds to the definition the solicitation of a person less than 12 to have sex with any person with the intent of arousal.

Child molestation in the second degree is changed to apply to children at least 14 but less than 16. Currently, it applies only to children who are 12 or 13. The bill also expands the definition to include the solicitation of a person at least 14 but less than 16 to have sex with any person with the intent of arousal.

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 Prosecution Services
Office of State Public Defender
Office of State Courts Administrator

NOT RESPONDING: Department of Corrections



Jeanne Jarrett, CPA
Director
March 2, 2000