

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0358-06
Bill No.: HCS for SCS for SB 10
Subject: Divorce judgements shall not expire; Internet government documents are not hearsay; blind pension not state debt for estate; Missouri CASA Fund.
Type: Original
Date: May 10, 2001

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
General Revenue	(Unknown)	(Unknown)	(Unknown)
Missouri CASA Fund	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> State Funds	(Unknown)	(Unknown)	(Unknown)

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 4 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the State Treasurer** and the **Department of Social Services** assume the proposed legislation would not fiscally impact their organization.

Officials from the **Office of Attorney General (AGO)** did not respond to our request for fiscal impact. However, in response to similar legislation proposed this session, the AGO assumed the proposed legislation would not fiscally impact their organization.

Officials from the **Office of Prosecution Services (OPS)** did not respond to our request for fiscal impact. However, in response to similar legislation proposed this session, the OPS stated they do not see where the proposed legislation would have a fiscal impact on their organization.

Officials from the **Office of State Courts Administrator (CTS)** stated the proposed legislation creates the Missouri CASA Fund and imposes a \$1.00 surcharge on all domestic relations cases to be collected for the fund. In FY 00, there were 100,468 domestic relations cases filed in the courts. Assuming a 100% collection, which is unlikely, there would be \$100,468 available for the fund.

Oversight assumes funds will be transferred from the General Revenue Fund to the Missouri CASA Fund. The entire amount of these transferred funds will be spent on programs. Oversight also assumes the amount appropriated to the CASA Fund by the General Assembly is unknown at this time.

Officials from the **Office of Administration - Division of Budget and Planning (COA-BAP)** stated the proposed legislation should not result in additional costs or savings to the BAP.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
GENERAL REVENUE FUND			
<u>Transfer out - to Missouri CASA Fund</u>	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
MISSOURI CASA FUND			
Transfer in - from General Revenue Fund	Unknown	Unknown	Unknown
Income - Courts Administrator Fees	\$100,468	\$100,468	\$100,468
Income- Gifts, Grants, Requests	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
Total <u>Income</u> - Missouri CASA Fund	\$100,468 to Unknown	\$100,468 to Unknown	\$100,468 to Unknown
Program Expenses - Missouri CASA Fund	(\$100,468 to <u>Unknown</u>)	(\$100,468 to <u>Unknown</u>)	(\$100,468 to <u>Unknown</u>)
NET ESTIMATED EFFECT ON MISSOURI CASA FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

-SUBJECT TO APPROPRIATION-

<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

Small businesses would be expected to incur administrative savings to fulfill the requirements of this proposal.

DESCRIPTION

This legislation proposes that benefits paid from the blind pension fund shall not be considered debt due the state from the estate of the decedent. The legislation also proposes that all records kept by governmental offices of the United States or any of its states, which are available to the public through the Internet, shall be evidence in this state, without the requirement of attestation or seal. Governmental records which comply with the requirements of section 490.221, RSMo, shall not be excluded from evidence as being hearsay. Finally, the legislation proposes that if a judgment has been revived as set out in subsection 1 of section 516.350, RSMo, decrees which have not been presumed paid as of August 31, 1982 shall apply retroactively to judgements presumed paid since August 31, 1982, as to child support, maintenance and pension, retirement, life insurance and other employee benefits in connection with a dissolution of marriage, legal separation or annulment.

DESCRIPTION (continued)

This proposed legislation establishes the Missouri CASA Fund in the state treasury, to be funded by a \$1 surcharge added to all domestic relations cases, appropriations from the General Assembly, and gifts, contributions, grants, bequests, and other aid. The State Courts Administrator will administer and disburse the funds.

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

Department of Social Services
Office of State Courts Administrator
Office of State Treasurer
Office of Administration - Division of Budget and Planning

NOT RESPONDING:

Office of the Attorney General
Office of Prosecution Services



Jeanne Jarrett, CPA
Director
May 10, 2001