

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0160-01
Bill No.: HB 33
Subject: Crimes and Punishment; Criminal Procedure; Drugs and Controlled Substances;
Law Enforcement Officers and Agencies
Type: Original
Date: January 12, 2009

Bill Summary: The proposal requires the State Highway Patrol to create, maintain, and make available for public inquiry on the Internet a registry of persons convicted of certain drug offenses within the past seven years.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
General Revenue	(\$50,265)	(\$1,793)	(\$1,846)
Total Estimated Net Effect on General Revenue Fund	(\$50,265)	(\$1,793)	(\$1,846)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
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 2010	FY 2011	FY 2012
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Public Safety – Director’s Office** state the proposal would have no fiscal impact on their agency.

Officials from the **Office of the State Courts Administrator (CTS)** state the proposed legislation would require court clerks to forward a copy of the judgment and date of birth of all persons convicted of certain drug offenses to the Missouri Highway Patrol within 45 days of the judgment. Pursuant to §43.503, RSMo and via the criminal records repository, court clerks already furnish this information to the highway patrol. This would include all drug offenses referenced in this proposed legislation.

If a separate electronic reporting system is required, additional costs would be needed to develop and maintain the system. Depending on how the legislation is implemented, there may be a cost, but there is no way to quantify the cost at this time.

Oversight assumes the CTS will not incur additional costs as a result of this proposal. This assumption is based on information received from the Missouri State Highway Patrol (MSHP), as detailed below, where the MSHP anticipates the CTS’ role to be to fax a copy of the conviction document to a specified location.

Officials from the **Department of Public Safety – Missouri State Highway Patrol (MSHP)** state MSHP’s Information Systems Division is offering a simple straight forward non-sophisticated solution which will allow for the manual entry of methamphetamine conviction data into an Internet accessible database. The basic assumptions used in this fiscal note are as follows:

1. The Office of State Courts Administrator would fax copies of conviction documents meeting the requirements specified in the proposed legislation, to a central location located within the MSHP (i.e.: the MSHP’s Criminal Records and Identification Division).
2. A central location within the MSHP would enter the relevant data elements (name, date of birth, nature & date of all offenses qualifying the offender to be entered into the registry).
3. The Information Systems Division of the MSHP would create and maintain the database structure necessary to host the proposed registry.

ASSUMPTION (continued)

4. Outside consultants would create the coding necessary to allow number two above to happen.

Consultant hours required would be 486 hours x \$82 per hour (state contract rate) = \$39,852. The 486 consultant hours will consist of, but not limited to, designing, programing, testing and implementing the web based application and will include but not be limited to:

Designing, developing, testing and implementing entry of conviction data received from the Office of State Courts Administrator for specific applicable charge codes for transfer to the web based Methamphetamine Registry.

Developing, testing and implementing search criteria (i.e.: last name; last name, first initial; last name, first name; last name, first name, middle initial; county of conviction, name combinations with county of conviction).

It would require one server for hosting the web based application software and database which would cost approximately \$5,900. One Websphere License would cost \$4,513.

Recurring costs starting in year two include: Annual maintenance for the Websphere estimated at \$920 per year and annual application maintenance/upgrade and database reorganization activities, estimated at 10 hours per year at \$82 per hour (10 x \$82 = \$820).

ONE TIME EXPENDITURES

Consultant Fees (486 hours at \$82 per hour)	\$39,852
Internet Registry Server	5,900
Websphere License	<u>4,513</u>
TOTAL ONE TIME COSTS	\$50,265

RECURRING COSTS (starting year two)

Recurring Websphere License Costs	\$920
Application Maintenance/Upgrade (10 hrs at \$82 per hour)	<u>820</u>
TOTAL RECURRING COSTS	\$1,740

APPLICATION SYNOPSIS

The Methamphetamine Offender Registry as defined above will be a "bare bones" application. There will be no data validation to secondary data sources. There will be no edits on data entry beyond the verification that required fields are present and date fields include only a proper range of values. There will be only two user roles: A system modifier to add, update, delete entries and a system viewer to view the registry over the Internet.

ASSUMPTION (continued)

There will be a single table in this application, which is the Methamphetamine Offender Registration form. There will be no more than 4 views/reports developed for query of the registry. Those four views/reports are as follows:

1. By last name, first name;
2. By last name, first name, middle initial;
3. By county of conviction; and
4. Deleted records (visible to system modifiers only).

In summary, the MSHP estimates a cost to the General Revenue Fund of \$50,265 in FY 2010 and approximately \$1,800 per year in subsequent years.

<u>FISCAL IMPACT - State Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
GENERAL REVENUE FUND			
<u>Costs – Missouri State Highway Patrol</u>			
Expense and Equipment – to develop and maintain methamphetamine offense registry	<u>(\$50,265)</u>	<u>(\$1,793)</u>	<u>(\$1,846)</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>(\$50,265)</u>	<u>(\$1,793)</u>	<u>(\$1,846)</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
	<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.

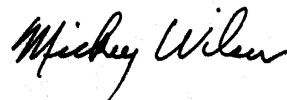
FISCAL DESCRIPTION

The proposed legislation requires the Missouri State Highway Patrol to create, maintain, and make available for public inquiry on the Internet, a registry of persons convicted of, found guilty of, pled guilty to, or who were granted a suspended imposition of sentence for certain drug offenses within the past seven years.

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
Department of Public Safety
– Director's Office
– Missouri State Highway Patrol

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Director
January 12, 2009