

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0201-01
Bill No.: HB 29
Subject: Courts; Judges; Law Enforcement Officers and Agencies
Type: Original
Date: February 17, 2009

Bill Summary: The proposal lowers the average total inmate population required to allow a circuit court to appoint an extra circuit court marshal.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
General Revenue	\$0 to (\$462,677)	\$0 to (\$565,561)	\$0 to (\$582,529)
Total Estimated Net Effect on General Revenue Fund	\$0 to (\$462,677)	\$0 to (\$565,561)	\$0 to (\$582,529)

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 4 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
General Revenue	0 to 7	0 to 7	0 to 7
Total Estimated Net Effect on FTE	0 to 7	0 to 7	0 to 7

☒ 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 **Office of State Courts Administrator (CTS)** assume under the new legislation, 7 additional circuits would be eligible to apply for a circuit court marshal: 5th, 12th, 13th, 14th, 25th, 33rd, and 45th. The highest average sheriff's salary for these circuits is \$56,932. 90% of the average highest sheriff's salary is \$51,239. Therefore, CTS assumes the approximate cost for the 7 FTE is \$307,861, plus fringe benefits.

Oversight assumes the proposal would allow, but not require, the appointment of a circuit court marshal. Therefore, Oversight has ranged the fiscal impact from \$0 to approximately \$460,000 in FY 10 and from \$0 to approximately \$580,000 in subsequent years.

<u>FISCAL IMPACT - State Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
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GENERAL REVENUE FUND

Costs – Office of State Courts

Administrator (CTS)

Personal Service	\$0 to (\$307,861)	\$0 to (\$380,516)	\$0 to (\$391,932)
Fringe Benefits	\$0 to (\$149,713)	\$0 to (\$185,045)	\$0 to (\$190,597)
Equipment and Expense	<u>\$0 to (\$5,103)</u>	<u>\$0</u>	<u>\$0</u>
<u>Total Costs – (CTS)</u>	<u>\$0 to (\$462,677)</u>	<u>\$0 to (\$565,561)</u>	<u>\$0 to (\$582,529)</u>
FTE Change – CTS	0 to 7 FTE	0 to 7 FTE	0 to 7 FTE

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND

	<u>\$0 to</u> <u>(\$462,677)</u>	<u>\$0 to</u> <u>(\$565,561)</u>	<u>\$0 to</u> <u>(\$582,529)</u>
Estimated Net FTE Change for General Revenue Fund	0 to 7 FTE	0 to 7 FTE	0 to 7 FTE

<u>FISCAL IMPACT - Local Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
	\$0	\$0	\$0

FISCAL IMPACT - Small Business

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

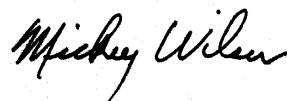
FISCAL DESCRIPTION

The proposed legislation allows a circuit court to appoint an extra circuit court marshal if the average total inmate population in all facilities operated by the Department of Corrections located in the circuit is more than 1,500 during the previous two years. Currently, the court can appoint an extra marshal only when the total average inmate population over the two-year period is more than 2,500.

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



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