

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0840-02
Bill No.: HB 321
Subject: Business and Commerce; Crimes and Punishment; Law Enforcement Officers and Agencies
Type: Original
Date: February 9, 2009

Bill Summary: The proposal regulates sexually oriented businesses.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

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 – Missouri State Highway Patrol, Missouri House of Representatives, Missouri Senate, Boone County Sheriff’s Department, Springfield Police Department, City of Cape Girardeau, City of Centralia, and Cass County** assume the proposal would have no fiscal impact on their agencies.

Officials from the **Office of the Attorney General** assume any potential costs arising from this proposal can be absorbed within existing resources.

Officials from the **Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on the courts.

Officials from the **Office of Prosecution Services** assume the proposal will have no measurable impact on the Missouri Office of Prosecution Services. Officials assume the potential fiscal impact on county prosecuting attorneys will necessarily depend on the extent to which law enforcement agencies choose to enforce this provision and/or are able to enforce this provision. If law enforcement agencies make arrests under this provision, there may be an impact based on the additional cases that may be filed.

Oversight assumes county prosecuting attorneys could absorb the costs of the proposed legislation within existing resources.

Officials from the **Office of the State Public Defender (SPD)** assume increasing penalties on existing crimes, or creating new crimes, will require more SPD resources. While the number of new cases (or cases with increased penalties) may be too few or uncertain to request additional appropriations for this specific bill, the SPD will continue to request sufficient appropriations to provide competent and effective representation in all its cases.

Oversight assumes the Office of the State Public Defender (SPD) could absorb the costs of the proposed legislation within existing resources. Oversight assumes any significant increase in the workload of the SPD would be reflected in future budget requests.

ASSUMPTION (continued)

Officials from the **City of Kansas City** assume this legislation would cause a loss of revenue to the city of approximately \$3,000 per year. Kansas City anticipates passage of this legislation would cause the closure of six businesses in Kansas City that provide annual licensing fees of approximately \$3,000 per year. Kansas City also estimates there would be a loss of annual permitting fees in an indeterminate amount.

Officials from **Clinton County** assume the proposal may result in increased revenues in the form of fines, etc. Officials also assume there could be increased costs due to enforcement efforts. In addition, officials assume there could be losses of sales taxes, business licenses, etc. if the facilities are cut out of business.

Oversight assumes the proposal could result in a fiscal impact to cities and counties. Oversight assumes any fiscal impact would be a minimal amount and could be absorbed within existing resources. Therefore, Oversight has reflected no impact to local government.

Officials from the Greene County Sheriff's Department, Jackson County Sheriff's Department, St. Louis County Police Department, Columbia Police Department, Kansas City Police Department, St. Louis Metropolitan Police Department, various Missouri cities, and various Missouri counties did not respond to Oversight's request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
	<u>\$0</u>	<u>\$0</u>	<u>\$0</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 appears to have no fiscal impact.

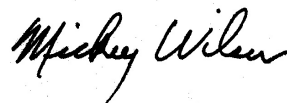
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the Attorney General
Office of State Courts Administrator
Department of Public Safety
 – Missouri State Highway Patrol
Missouri House of Representatives
Office of Prosecution Services
Missouri Senate
Boone County Sheriff's Department
Springfield Police Department
City of Cape Girardeau
City of Centralia
City of Kansas City
Cass County
Clinton County

NOT RESPONDING

Greene County Sheriff's Department
Jackson County Sheriff's Department
St. Louis County Police Department
Columbia Police Department
Kansas City Police Department
St. Louis Metropolitan Police Department
Various Missouri Cities
Various Missouri Counties



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