

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3861-01  
Bill No.: HB 1380  
Subject: Juries; Jackson County  
Type: Original  
Date: March 30, 2010

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Bill Summary: The proposal increases juror compensation in Jackson County, requires Jackson County to create a Jury Service Expense Fund, and creates a three dollar surcharge in certain civil and criminal cases to fund it.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 5 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

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).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>
<b>Local Government*</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

\* Offsetting revenues and costs of approximately \$250,000 per year, net to \$0.

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**FISCAL ANALYSIS**

**ASSUMPTION**

Officials from the **Office of State Courts Administrator (CTS)** assume, beginning August 28, 2010, the proposed legislation would increase juror compensation in Jackson County. In addition, it would create a Jury Service Expense Fund in Jackson County and creates a three dollar surcharge on most civil and criminal cases to fund it.

CTS calculation takes into account the fact that felony collection rates are only between 50% and 60%, and misdemeanor collection rates average 80%. This surcharge is assessed on misdemeanor and felony cases. Since these defendants often do not have steady employment or cash reserves, the court often gives the defendants the period of probation to pay the costs and fines. Therefore, the revenue generated the first year is less than that generated in subsequent years. The felony collection rate increases over a period of four years, which CTS believes to be the average probation served for felonies. The collection rate for misdemeanors increases over two years, the average probation time for misdemeanants.

Based on a 50% felony collection rate, CTS calculations indicate that the legislation will produce \$226,991 in the 1<sup>st</sup> 12 months, \$242,219 in the 2<sup>nd</sup> 12 months, \$243,985 in the 3<sup>rd</sup> 12 months, and \$245,751 annually thereafter. Based on a 60% felony collection rate, CTS calculations indicate that the legislation will produce \$227,345 in the 1<sup>st</sup> 12 months, \$242,925 in the 2<sup>nd</sup> 12 months, \$245,044 in the 3<sup>rd</sup> 12 months, and \$247,163 annually thereafter.

For fiscal note purposes, **Oversight** has ranged the revenues and costs from the 50% felony collection rate to the 60% felony collection rate. The calculations for FY 2011 have been adjusted to reflect 10 months.

**Officials from Jackson County did not respond to Oversight's request for fiscal impact.**

<u>FISCAL IMPACT - State Government</u>	FY 2011 (10 Mo.)	FY 2012	FY 2013
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2011 (10 Mo.)	FY 2012	FY 2013
<b>LOCAL GOVERNMENT</b>			
<u>Revenues – Jackson County’s Jury Service Expense Fund</u>			
Surcharge on civil and criminal court cases	\$189,159 to \$189,454	\$242,219 to \$242,925	\$243,985 to \$245,044
<u>Costs – Jackson County’s Jury Service Expense Fund</u>			
Increased juror compensation	( <u>\$189,159 to \$189,454</u> )	( <u>\$242,219 to \$242,925</u> )	( <u>\$243,985 to \$245,044</u> )
<b>ESTIMATED NET EFFECT ON LOCAL GOVERNMENT</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

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 Jackson County to create a Jury Service Expense Fund for payment of expenses related to the compensation of jurors. In addition to all authorized court fees and costs, a \$3 surcharge must be assessed in each court proceeding filed in any circuit court in the county, with certain specified exceptions, and deposited into the fund. There will be no compensation for jury service for the first day, \$6 for the second day, and \$40 for each subsequent day. No reimbursement will be given for mileage.

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

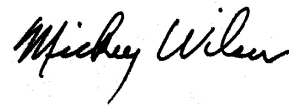
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SOURCES OF INFORMATION

Office of State Courts Administrator

NOT RESPONDING

**Jackson County**

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive style with a large initial 'M' and 'W'.

Mickey Wilson, CPA  
Director  
March 30, 2010