

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0984-02
Bill No.: HCS for HB 572
Subject: Crimes and Punishment; Parks and Recreation; Museums; Children and Minors
Type: Original
Date: April 12, 2017

Bill Summary: This proposal prohibits registered sexual offenders from being 500 feet from any museum with the primary purpose of entertaining or educating children under eighteen years of age.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

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

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Total Estimated Net Effect on FTE	0	0	0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Corrections (DOC)** state the bill addresses the existing offense of sex offender loitering. It extends the definition of places sex offenders may not loiter.

While the bill does not create any new offenses, it does extend the definition to include more areas where sex offenders may not loiter. This could lead to the conviction of more offenders under statute 566.160 either for a first offense which is an E Felony or a second offense which is classified as a D Felony. In FY2016, there were 4 new admissions and 7 new probations under the E Felony.

The FY16 average cost of supervision is \$6.12 per offender per day or an annual cost of \$2,234 per offender. The DOC cost of incarceration is \$16.67 per day or an annual cost of \$6,085 per offender.

The DOC would assume this legislation will result in long term costs as indicated in the chart below.

	# to prison	Cost per year	Total Costs for prison	# to probation	Cost per year	Total cost for probation and parole	Grand Total - Prison and Probation (includes and 2% inflation)
Year 1	1.0	(\$6,085)	(\$6,085)	1.0	(\$2,234)	(\$2,234)	(\$6,933)
Year 2	2.0	(\$6,085)	(\$12,170)	2.0	(\$2,234)	(\$4,468)	(\$16,671)
Year 3	3.0	(\$6,085)	(\$18,255)	3.0	(\$2,234)	(\$6,702)	(\$25,965)
Year 4	3.6	(\$6,085)	(\$21,906)	4.3	(\$2,234)	(\$9,606)	(\$33,441)
Year 5	3.6	(\$6,085)	(\$21,906)	5.3	(\$2,234)	(\$11,840)	(\$36,528)

Oversight assumes the DOC could implement the provisions of this proposal within existing appropriations and will not show a fiscal impact on their agency.

Officials from the **Department of Public Safety - Missouri Highway Patrol**, the **Office of the State Courts Administrator**, and the **Office of Prosecution Services** each assume the proposal would not fiscally impact their respective agencies.

ASSUMPTION (continued)

For the purpose of this proposed legislation, officials from the **Office of State Public Defender (SPD)** cannot assume that existing staff will provide effective representation for any new cases arising where indigent persons are charged with the proposed new crime of being a registered sex offender and being within 500 feet of a children’s museum, a new class E felony, subsequent violations would be a new class D felony.

While the number of new cases (or cases with increased penalties) may be too few or uncertain to request additional funding for this specific bill, the SPD will continue to request sufficient appropriations to provide effective representation in all cases where the right to counsel attaches.

Oversight assumes the SPD can absorb the additional caseload that may result from this proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
	<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

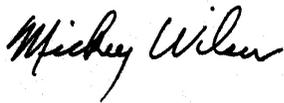
The proposed legislation appears to have no direct fiscal impact.

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

Department of Public Safety
Office of Prosecution Services
Office of the State Public Defender
Department of Corrections
Office of the State Courts Administrator



Mickey Wilson, CPA
Director
April 12, 2017

Ross Strobe
Assistant Director
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