

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0279H.01I
Bill No.: HB 31
Subject: Crimes and Punishment; Law Enforcement Officers and Agencies; Criminal Procedure
Type: Original
Date: January 20, 2021

Bill Summary: This proposal creates the offense of using a laser pointer.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains NumberOfPages pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on FTE	0	0	0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§574.110 – Unlawful use of a laser pointer

For the purpose of the proposed legislation, and as a result of excessive caseloads, the **Missouri State Public Defender (SPD)** cannot assume existing staff will be able to provide competent, effective representation for any new cases where indigent persons are charged with the proposed new crime(s) of using a laser pointer under Section 574.110 RSMo. This new crime is a class A misdemeanor; however, if this offense was classified as a class D misdemeanor, it would not qualify for public defender representation because it would be punishable by a fine only and, therefore, would be no impact on the SPD. The Missouri State Public Defender System is currently providing legal representation in caseloads in excess of recognized standards. While the number of new cases may be too few or uncertain to request additional funding for this specific bill, the Missouri State Public Defender will continue to request sufficient appropriations to provide competent and effective representation in all cases where the right to counsel attaches.

Oversight assumes the SPD will be able to perform any additional duties required by this proposal with current staff and resources and will reflect no fiscal impact to the SPD for fiscal note purposes.

Officials from the **Missouri Office of Prosecution Services (MOPS)** assume the proposal will have no measurable fiscal impact on MOPS. The enactment of a new crime creates additional responsibilities for county prosecutors which may, in turn, result in additional costs, which are difficult to determine.

Officials from the **Department of Natural Resources, Department of Public Safety – (Capitol Police and Missouri Highway Patrol), the Department of Social Services, the Missouri Department of Conservation, the Office of the State Courts Administrator, the Boone County Sheriff's Department, the Crestwood Police Department, the Ellisville Police Department, the Greenwood Police Department, the Kansas City Police Department, the St. Joseph Police Department, the St. Louis County Police Department, the Fredericktown Fire Department, the Gainesville Fire Department, the Lexington Fire and Rescue, the West County EMS and Fire Protection District, the Barry County 911 Board, the Crawford County 911 Board, the Nodaway County Ambulance District** each assume the proposal will have no fiscal impact on their respective organizations.

Officials from the **Mexico Police Department, the St. Clair Fire Protection District, and the Randolph County Ambulance District** responded to the legislation but did not provide a fiscal impact.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other fire departments, EMS, and police and sheriff’s departments were requested to respond to this proposed legislation but did not. A general listing of political subdivisions included in our database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
	<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.

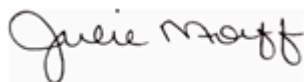
FISCAL DESCRIPTION

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.

SOURCES OF INFORMATION

Office of the State Public Defender
Department of Natural Resources
Department of Public Safety
Department of Social Services
Missouri Department of Conservation
Office of the State Courts Administrator
Boone County Sheriff's Department
Crestwood Police Department
Ellisville Police Department
Greenwood Police Department
Kansas City Police Department
Mexico Police Department
St. Joseph Police Department
St. Louis County Police Department
Fredericktown Fire Department
Gainesville Fire Department
Lexington Fire and Rescue
West County EMS and Fire Protection District
Barry County 911 Board
Crawford County 911 Board
Nodaway County Ambulance District
St. Clair Fire Protection District
Randolph County Ambulance District



Julie Morff
Director
January 20, 2021



Ross Strope
Assistant Director
January 20, 2021