

FISCAL YEAR 2020

**TRULY AGREED AND FINALLY PASSED
(AFTER VETO)**

PUBLIC DEFENDER

HOUSE BILL 12

Vetoed: None

**100th General Assembly
First Regular Session**

Prepared by Senate Appropriations Committee Staff

OFFICE OF PUBLIC DEFENDER
Section 12.400 – Director’s Office/Legal Services

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The Director’s Office is responsible for centralized administration and coordination of resources, planning functions, fiscal processing, personnel functions, data processing support, conflict case transfers, collection of lien and recoupment monies and other support functions.

Legal Basis: Chapter 600, RSMo.
Funding Source: General Revenue (0101)
FY 2019 GR W/H: \$0

CORE ADJUSTMENTS:

DEPARTMENT:
No core changes

GOVERNOR:
No core changes

HOUSE:
No core changes

SENATE:
No core changes

CONFERENCE:
No core changes

Committee Markup Annual	HB 12 - PUBLIC DEFENDER												Regular House Bills	
	FY 2018 ACTUAL		FY 2019 BUDGET		FY 2020 DEPT REQ		GOV AS AMENDED REC		HOUSE RECOMMENDED		SENATE RECOMMENDED		TRULY AGREED FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	DOLLAR	DOLLAR	FTE

HOUSE BILL SECTION 12.400														
OFFICE OF THE DIRECTOR - 15111C														
CORE														
PERSONAL SERVICES	28,940,575	590.75	33,413,677	595.13	33,413,677	595.13	33,413,677	595.13	33,413,677	595.13	33,413,677	0.00	33,413,677	595.13
GENERAL REVENUE	28,940,575	590.75	33,413,677	595.13	33,413,677	595.13	33,413,677	595.13	33,413,677	595.13	33,413,677	0.00	33,413,677	595.13
EXPENSE & EQUIPMENT	8,835,934	0.00	7,879,567	0.00	7,879,567	0.00	7,879,567	0.00	7,879,567	0.00	7,879,567	0.00	7,879,567	0.00
GENERAL REVENUE	8,835,934	0.00	7,879,567	0.00	7,879,567	0.00	7,879,567	0.00	7,879,567	0.00	7,879,567	0.00	7,879,567	0.00
TOTAL	\$37,776,509	590.75	\$41,293,244	595.13	\$41,293,244	595.13	\$41,293,244	595.13	\$41,293,244	595.13	\$41,293,244	0.00	\$41,293,244	595.13

Pay Plan - 0000012														
PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	504,529	0.00	504,529	0.00	504,529	0.00	504,529	0.00
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	504,529	0.00	504,529	0.00	504,529	0.00	504,529	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$504,529	0.00	\$504,529	0.00	\$504,529	0.00	\$504,529	0.00

The Governor's Fiscal Year 20 budget includes appropriation authority for a 3% pay increase for employees beginning January 1, 2020.

Pay Plan FY19-Cost to Continue - 0000013														
PERSONAL SERVICES	0	0.00	0	0.00	221,595	0.00	221,595	0.00	221,595	0.00	221,595	0.00	221,595	0.00

Committee Markup Annual	HB 12 - PUBLIC DEFENDER												Regular House Bills	
	FY 2018		FY 2019		FY 2020		GOV AS		HOUSE		SENATE		TRULY AGREED	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	DOLLAR	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
OFFICE OF THE DIRECTOR - 15111C														
Pay Plan FY19-Cost to Continue - 0000013														
PERSONAL SERVICES	0	0.00	0	0.00	221,595	0.00	221,595	0.00	221,595	0.00	221,595	0.00	221,595	0.00
GENERAL REVENUE	0	0.00	0	0.00	221,595	0.00	221,595	0.00	221,595	0.00	221,595	0.00	221,595	0.00
TOTAL	\$0	0.00	\$0	0.00	\$221,595	0.00	\$221,595	0.00	\$221,595	0.00	\$221,595	0.00	\$221,595	0.00
The FY 19 budget includes appropriation authority for a \$700 pay increase for employees making under \$70,000 and a 1% pay increase for employees making over \$70,000 beginning January 1, 2019. The remaining six months were unfunded, but the stated intent of the legislature was to provide the funding in FY 20.														

Juvenile Advocacy Offices - 1151001														
PERSONAL SERVICES	0	0.00	0	0.00	913,786	18.00	0	0.00	913,786	18.00	456,893	0.00	913,786	18.00
GENERAL REVENUE	0	0.00	0	0.00	913,786	18.00	0	0.00	913,786	18.00	456,893	0.00	913,786	18.00
EXPENSE & EQUIPMENT	0	0.00	0	0.00	175,297	0.00	0	0.00	175,297	0.00	87,649	0.00	175,297	0.00
GENERAL REVENUE	0	0.00	0	0.00	175,297	0.00	0	0.00	175,297	0.00	87,649	0.00	175,297	0.00
TOTAL	\$0	0.00	\$0	0.00	\$1,089,083	18.00	\$0	0.00	\$1,089,083	18.00	\$544,542	0.00	\$1,089,083	18.00

Committee Markup Annual

Committee Markup Annual		HB 12 - PUBLIC DEFENDER										Regular House Bills			
FY 2018		FY 2019		FY 2020		GOV AS		HOUSE		SENATE		TRULY AGREED			
ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED			
DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	DOLLAR	DOLLAR	FTE		
HOUSE BILL SECTION 12.400															
OFFICE OF THE DIRECTOR - 15111C															
Contract Fee Rates - 1151002															
EXPENSE & EQUIPMENT	0	0.00	0	0.00	2,350,083	0.00	0	0.00	0	0.00	0	0.00	0	0.00	
GENERAL REVENUE	0	0.00	0	0.00	2,350,083	0.00	0	0.00	0	0.00	0	0.00	0	0.00	
TOTAL	\$0	0.00	\$0	0.00	\$2,350,083	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	

Springfield Appellate Office - 1151004																
PERSONAL SERVICES	0	0.00	0	0.00	475,793	9.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	475,793	9.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
EXPENSE & EQUIPMENT	0	0.00	0	0.00	99,740	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	99,740	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
TOTAL	\$0	0.00	\$0	0.00	\$575,533	9.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00

Committee Markup Annual

Committee Markup Annual				HB 12 - PUBLIC DEFENDER								Regular House Bills			
FY 2018 ACTUAL		FY 2019 BUDGET		FY 2020 DEPT REQ		GOV AS AMENDED REC		HOUSE RECOMMENDED		SENATE RECOMMENDED		TRULY AGREED FINALLY PASSED			
DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	DOLLAR	DOLLAR	FTE		
HOUSE BILL SECTION 12.400															
OFFICE OF THE DIRECTOR - 15111C															
Office Space Requirements - 1151005															
EXPENSE & EQUIPMENT	0	0.00	0	0.00	2,576,382	0.00	0	0.00	0	0.00	0	0.00	0	0.00	
GENERAL REVENUE	0	0.00	0	0.00	2,576,382	0.00	0	0.00	0	0.00	0	0.00	0	0.00	
TOTAL	\$0	0.00	\$0	0.00	\$2,576,382	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	

Constitutionally Mandated Repr - 1151006														
PERSONAL SERVICES	0	0.00	0	0.00	20,116,404	385.00	0	0.00	0	0.00	300,420	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	20,116,404	385.00	0	0.00	0	0.00	300,420	0.00	0	0.00
EXPENSE & EQUIPMENT	0	0.00	0	0.00	3,467,855	0.00	0	0.00	0	0.00	45,035	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	3,467,855	0.00	0	0.00	0	0.00	45,035	0.00	0	0.00
TOTAL	\$0	0.00	\$0	0.00	\$23,584,259	385.00	\$0	0.00	\$0	0.00	\$345,455	0.00	\$0	0.00

Social Worker Pilot Project - 1151007														
PERSONAL SERVICES	0	0.00	0	0.00	222,500	5.00	0	0.00	0	0.00	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	222,500	5.00	0	0.00	0	0.00	0	0.00	0	0.00

Committee Markup Annual

Committee Markup Annual			HB 12 - PUBLIC DEFENDER										Regular House Bills		
FY 2018 ACTUAL			FY 2019 BUDGET		FY 2020 DEPT REQ		GOV AS AMENDED REC		HOUSE RECOMMENDED		SENATE RECOMMENDED		TRULY AGREED FINALLY PASSED		
DOLLAR	FTE		DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	DOLLAR	DOLLAR	FTE	
HOUSE BILL SECTION 12.400															
OFFICE OF THE DIRECTOR - 15111C															
Social Worker Pilot Project - 1151007															
EXPENSE & EQUIPMENT	0	0.00	0	0.00	25,560	0.00	0	0.00	0	0.00	0	0.00	0	0.00	
GENERAL REVENUE	0	0.00	0	0.00	25,560	0.00	0	0.00	0	0.00	0	0.00	0	0.00	
TOTAL	\$0	0.00	\$0	0.00	\$248,060	5.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	
Public Defender Legal Services - 1151008															
EXPENSE & EQUIPMENT	0	0.00	0	0.00	0	0.00	0	0.00	500,000	0.00	0	0.00	500,000	0.00	
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	0	0.00	500,000	0.00	0	0.00	500,000	0.00	
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$500,000	0.00	\$0	0.00	\$500,000	0.00	
Additional funding for the Public Defender System															
TOTAL - OFFICE OF THE DIRECTOR															
\$37,776,509	590.75		\$41,293,244	595.13	\$71,938,239	1,012.13	\$42,019,368	595.13	\$43,608,451	613.13	\$42,909,365	0.00	\$43,608,451	613.13	

OFFICE OF PUBLIC DEFENDER

Section 12.400 – Extraordinary Expenses and Conflict Cases

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This section provides funding for three main types of expenses: payments of expenses associated with the defense or violent crimes, litigation expenses exceeding \$500, and expenses of contracting with private counsel in conflict cases.

Legal Basis: Chapter 600, RSMo.
Funding Source: General Revenue (0101)
FY 2019 GR W/H: \$0

CORE ADJUSTMENTS:

DEPARTMENT:

No core changes

GOVERNOR:

No core changes

HOUSE:

No core changes

SENATE:

No core changes

CONFERENCE:

No core changes

Committee Markup Annual

HB 12 - PUBLIC DEFENDER

Regular House Bills

[illegible][illegible]

OFFICE OF PUBLIC DEFENDER
Section 12.400 – Legal Defense and Defender Fund

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This section includes funding for personal services and expense and equipment requested and recommended from the Legal Defense Fund (funds collected from the indigent).	
Legal Basis:	Chapter 600, RSMo.
Funding Source:	Legal Defense and Defender Fund (0670)
FY 2019 GR W/H:	N/A

CORE ADJUSTMENTS:

DEPARTMENT:
No core changes

GOVERNOR:
No core changes

HOUSE:
No core changes

SENATE:
No core changes

CONFERENCE:
No core changes

Committee Markup Annual

Committee Markup Annual	HB 12 - PUBLIC DEFENDER										Regular House Bills			
	FY 2018		FY 2019		FY 2020		GOV AS		HOUSE		SENATE		TRULY AGREED	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	DOLLAR	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
LEGAL DEFENSE & DEFENDER FUND - 15141C														
CORE														
PERSONAL SERVICES	135,088	1.79	136,012	2.00	136,012	2.00	136,012	2.00	136,012	2.00	136,012	0.00	136,012	2.00
OTHER FUNDS	135,088	1.79	136,012	2.00	136,012	2.00	136,012	2.00	136,012	2.00	136,012	0.00	136,012	2.00
EXPENSE & EQUIPMENT	1,052,739	0.00	2,600,756	0.00	2,600,756	0.00	2,600,756	0.00	2,600,756	0.00	2,600,756	0.00	2,600,756	0.00
OTHER FUNDS	1,052,739	0.00	2,600,756	0.00	2,600,756	0.00	2,600,756	0.00	2,600,756	0.00	2,600,756	0.00	2,600,756	0.00
PROGRAM-SPECIFIC	247,375	0.00	250,000	0.00	250,000	0.00	250,000	0.00	250,000	0.00	250,000	0.00	250,000	0.00
OTHER FUNDS	247,375	0.00	250,000	0.00	250,000	0.00	250,000	0.00	250,000	0.00	250,000	0.00	250,000	0.00
TOTAL	\$1,435,202	1.79	\$2,986,768	2.00	\$2,986,768	2.00	\$2,986,768	2.00	\$2,986,768	2.00	\$2,986,768	0.00	\$2,986,768	2.00

Pay Plan - 0000012														
PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	2,053	0.00	2,053	0.00	2,053	0.00	2,053	0.00
OTHER FUNDS	0	0.00	0	0.00	0	0.00	2,053	0.00	2,053	0.00	2,053	0.00	2,053	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$2,053	0.00	\$2,053	0.00	\$2,053	0.00	\$2,053	0.00
The Governor's Fiscal Year 20 budget includes appropriation authority for a 3% pay increase for employees beginning January 1, 2020.														

Pay Plan FY19-Cost to Continue - 0000013														
PERSONAL SERVICES	0	0.00	0	0.00	825	0.00	825	0.00	825	0.00	825	0.00	825	0.00

Committee Markup Annual

Committee Markup Annual				HB 12 - PUBLIC DEFENDER										Regular House Bills			
				FY 2018		FY 2019		FY 2020		GOV AS		HOUSE		SENATE		TRULY AGREED	
				ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED	
				DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	DOLLAR	DOLLAR	FTE
HOUSE BILL SECTION 12.400																	
LEGAL DEFENSE & DEFENDER FUND - 15141C																	
Pay Plan FY19-Cost to Continue - 0000013																	
PERSONAL SERVICES				0	0.00	0	0.00	825	0.00	825	0.00	825	0.00	825	0.00	825	0.00
OTHER FUNDS				0	0.00	0	0.00	825	0.00	825	0.00	825	0.00	825	0.00	825	0.00
TOTAL				\$0	0.00	\$0	0.00	\$825	0.00	\$825	0.00	\$825	0.00	\$825	0.00	\$825	0.00
The FY 19 budget includes appropriation authority for a \$700 pay increase for employees making under \$70,000 and a 1% pay increase for employees making over \$70,000 beginning January 1, 2019. The remaining six months were unfunded, but the stated intent of the legislature was to provide the funding in FY 20.																	

TOTAL - LEGAL DEFENSE & DEFENDER FUN	\$1,435,202	1.79	\$2,986,768	2.00	\$2,987,593	2.00	\$2,989,646	2.00	\$2,989,646	2.00	\$2,989,646	0.00	\$2,989,646	2.00
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OFFICE OF PUBLIC DEFENDER

Section 12.400 – Debt Offset Escrow

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This section authorizes State Public Defender to intercept Missouri State Income Tax refund checks due to individuals who owe the Missouri State Public Defender System monies for representation.

Legal Basis: Chapter 600, RSMo.
Funding Source: Debt Offset Escrow Fund (0753)
FY 2019 GR W/H: N/A

CORE ADJUSTMENTS:

DEPARTMENT:

No core changes

GOVERNOR:

No core changes

HOUSE:

No core changes

SENATE:

No core changes

CONFERENCE:

No core changes

Committee Markup Annual	HB 12 - PUBLIC DEFENDER												Regular House Bills	
	FY 2018		FY 2019		FY 2020		GOV AS		HOUSE		SENATE		TRULY AGREED	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	DOLLAR	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
DEBT OFFSET ESCROW FUND - 15161C														
CORE														
FUND TRANSFERS	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00
OTHER FUNDS	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00
TOTAL	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00
Debt Offset Transfer Authority - 1151003														
FUND TRANSFERS	0	0.00	0	0.00	500,000	0.00	500,000	0.00	500,000	0.00	500,000	0.00	500,000	0.00
OTHER FUNDS	0	0.00	0	0.00	500,000	0.00	500,000	0.00	500,000	0.00	500,000	0.00	500,000	0.00
TOTAL	\$0	0.00	\$0	0.00	\$500,000	0.00	\$500,000	0.00	\$500,000	0.00	\$500,000	0.00	\$500,000	0.00
The transfer authority for FY19 was insufficient to accommodate the fee intercepts from public defender state tax refunds. This request assumes the FY18 shortfall of \$250,000 will remain constant in FY19 and FY20 thereby requiring \$500,000 of additional authority for Missouri State Public Defender's (MSPD) Debt Offset Escrow Fund (DOEF) appropriation.														
TOTAL - DEBT OFFSET ESCROW FUND	\$1,200,000	0.00	\$1,200,000	0.00	\$1,700,000	0.00	\$1,700,000	0.00	\$1,700,000	0.00	\$1,700,000	0.00	\$1,700,000	0.00

OFFICE OF PUBLIC DEFENDER

Section 12.400 – Grants

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This section provides appropriation authority if grants are received from the federal government.

Legal Basis: Chapter 600, RSMo.
Funding Source: Federal Funds (0112)
FY 2019 GR W/H: None

CORE ADJUSTMENTS:

DEPARTMENT:

No core changes

GOVERNOR:

No core changes

HOUSE:

No core changes

SENATE:

No core changes

CONFERENCE:

No core changes

Committee Markup Annual

HB 12 - PUBLIC DEFENDER

Regular House Bills

[illegible][illegible]

OFFICE OF PUBLIC DEFENDER
Section 12.401 – Mileage Reimbursement

Book N/A

This funding increases the mileage reimbursement rate by \$.06 per mile, from \$0.37 to \$0.43 per mile for State Fiscal Year 2020, with the intent of possibly increasing the rate by \$.06 per mile in both FY 2021 and 2022.

Legal Base:

Funding Source: General Revenue (0101) and Other Funds (Various)

FY 2019 GR W/H: N/A

CORE ADJUSTMENTS:

DEPARTMENT:

New section recommended by the Senate.

GOVERNOR:

New section recommended by the Senate.

HOUSE:

New section recommended by the Senate.

SENATE:

New Decision Item: \$156,626 (\$145,376 GR & \$11,250 OTH) EE for increase in mileage reimbursement rate

CONFERENCE:

Same as Senate – no additional changes

Committee Markup Annual	HB 12 - PUBLIC DEFENDER												Regular House Bills	
	FY 2018		FY 2019		FY 2020		GOV AS		HOUSE		SENATE		TRULY AGREED	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	DOLLAR	DOLLAR	FTE
HOUSE BILL SECTION 12.401														
MILEAGE REIMBURSEMENT - 15115C														
Mileage Reimbursement - 0000021														
EXPENSE & EQUIPMENT	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	156,626	0.00	156,626	0.00
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	145,376	0.00	145,376	0.00
OTHER FUNDS	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	11,250	0.00	11,250	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$156,626	0.00	\$156,626	0.00
TOTAL - MILEAGE REIMBURSEMENT	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$156,626	0.00	\$156,626	0.00

