

**COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION**

FISCAL NOTE

L.R. No.: 1175-03
Bill No.: Truly Agreed to and Finally Passed HCS for SB 401
Subject: Administrative Law; Labor and Industrial Relations.
Type: Original
Date: May 14, 2003

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Crime Victims' Compensation *	\$0	\$0	\$0
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0

* Offsetting expenses and savings.

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

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Section 595.010, changing the definition of "Crime";

Officials from the **Office of the State Public Defender, Office of the State Courts Administrator, Department of Corrections** and the **Department of Public Safety - Capitol Police** each assume this proposal would not fiscally impact their respective agencies.

In response to a previous version of this proposal, officials from the an the **Department of Public Safety - Missouri Highway Patrol and Fire Safety** each assumed this proposal would not fiscally impact their respective agencies.

Officials from the **Department of Labor and Industrial Relations (DOLIR)** state this part of the proposal simply clarifies the time that a crime is considered to have occurred. Pursuant to Section 595.025.2, RSMo, a claimant must file an application for benefits with the Crime Victims' Compensation Program within two years of the occurrence of a crime or the discovery of the crime upon which it is based.

ASSUMPTION (continued)

RAS:LR:OD (12/02)

DOLIR assumes that since the Crime Victims' Compensation Program has always operated on the premise that a crime occurs when an offender perpetrates the criminal act and not when a conviction is obtained, the revision simply clarifies existing statute. Therefore, DOLIR assumes this part of the proposal has no fiscal impact on the Crime Victims' Compensation Fund.

Section 595.045, changing the distribution of moneys from the Crime Victims' Compensation Fund:

Officials from the **Department of Public Safety** assume this part of the proposal would not fiscally impact their agency. It would simply result in an increase of \$250,000 for grant funding for the Missouri Crime Lab Upgrade Program (MCLUP). DPS states that other DPS programs as well as the Department of Labor and Industrial Relations and the Missouri Highway Patrol receive and/or distribute money from the Crime Victims' Compensation Fund.

Officials from the **Department of Labor and Industrial Relations (DOLIR)** state this part of the proposal revises statutes to increase from \$250,000 to \$500,000 the annual amount of money from the Crime Victims' Compensation Fund to the Department of Public Safety for the operation of the state forensic laboratory. Funding for the state forensic laboratory is derived from a \$7.50 surcharge in criminal court proceedings in Missouri. Under current statute, the first \$250,000 in surcharge is earmarked for the state forensic laboratory and the remaining funds are split equally between the Crime Victims' Compensation Fund and the Services to Victims' Fund unless the Crime Victims' Compensation Fund falls below a certain statutory threshold.

The Crime Victims Compensation Fund pays benefits to eligible victims of crime and also provides funding for the administration of the Crime Victims' Compensation Program. The Services to Victims' Fund provides funding to pay for counseling, crisis intervention and victim advocacy services.

Since, based on current statute, the Crime Victims' Compensation Fund would have received one-half of the additional \$250,000 earmarked for the state forensic laboratory, the fiscal impact of this proposal equals a \$125,000 impact to that fund.

Oversight assumes this part of the proposal would not result in a net fiscal impact to the Crime Victims' Compensation Fund, just an additional amount going to the state forensic laboratories and less money going to other programs and/or crime victims.

<u>FISCAL IMPACT - State Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
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**CRIME VICTIMS'
 COMPENSATION FUND**

<u>Savings</u> - Less moneys distributed to other programs and/or crime victims	\$250,000	\$250,000	\$250,000
<u>Expense</u> - Additional monies going to the state forensic laboratories	(\$250,000)	(\$250,000)	(\$250,000)

**ESTIMATED NET EFFECT TO THE
 CRIME VICTIMS'
 COMPENSATION FUND**

\$0 **\$0** **\$0**

<u>FISCAL IMPACT - Local Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
	<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.

DESCRIPTION

This proposal adds to the definition of crime under Chapter 595 RSMo, "For the purposes of this chapter, a crime occurs at the time of the commission or attempted commission of the crime."

The proposal also directs an additional \$250,000 from the Crime Victims' Compensation Fund to the state forensic laboratory account administered by the Department of Public Safety.

DESCRIPTION (continued)

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

Department of Public Safety

Fire Safety

Capitol Police

Highway Patrol

Office of the State Public Defender

Office of the State Courts Administrator

Office of Prosecution Services

Department of Labor and Industrial Relations

Department of Corrections



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