

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2836-01
Bill No.: SB 1143
Subject: Crimes and Punishment; Motor Vehicles
Type: Original
Date: February 9, 2004

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Transportation, Department of Corrections,** and the **Department of Public Safety – Missouri State Highway Patrol** assume the proposed legislation would have no fiscal impact on their agencies.

Officials from the **Office of State Courts Administrator (CTS)** assume the proposed legislation would create several new crimes relating to vehicle theft and vehicle tampering. CTS assumes that, in most cases, these would be an additional charge, and would not expect a significant impact on the workload of the courts.

Officials from the **Office of Prosecution Services** assume prosecutors could absorb the costs of the proposed legislation within existing resources.

ASSUMPTION (continued)

Officials from the **Office of State Public Defender (SPD)** assume new crimes create new cases for the SPD. The exact number of cases affected is too uncertain to provide a definitive dollar amount of fiscal impact. Since the amount of impact is uncertain, the SPD assumes existing staff will be able to provide representation in these cases initially. However, once the true fiscal impact is determined, the SPD will reassess the impact of this legislation. Passage of more than one bill increasing existing penalties or creating new crimes will require increased appropriations for the SPD.

<u>FISCAL IMPACT - State Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	<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

The proposed legislation would create the crime of motor vehicle theft if a person appropriates a motor vehicle of another with the purpose to deprive him or her of it, without consent or by means of deceit or coercion. Motor vehicle theft would be a class C felony.

The proposal would create the crime of carjacking when a person obtains unauthorized possession or control of a motor vehicle from another individual in actual possession by intimidation, force, or threat of force. Carjacking would be a class B felony.

DESCRIPTION (continued)

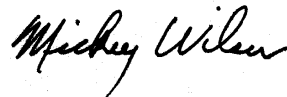
This proposal would create the crime of unauthorized use of a vehicle if a person knowingly takes, operates, exercises control over, rides in, or otherwise uses a vehicle without the consent of the owner or has custody of the vehicle pursuant to an agreement with the owner of the vehicle and uses the vehicle in gross deviation from the agreed purpose. Violation of this provision would be a class A misdemeanor.

The proposal would also create the crime of tampering with a motor vehicle if a person knows that he or she does not have the consent of the owner and takes, operated, or otherwise uses a motor vehicle. The crime of tampering would be a class B misdemeanor. A second violation of this provision would be a class A misdemeanor. Third and subsequent violations would be a class D felony.

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 State Courts Administrator
Department of Transportation
Department of Corrections
Department of Public Safety
– Missouri State Highway Patrol
Office of Prosecution Services
Office of State Public Defender



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Director
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