

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 987-02
Bill No.: SB 258
Subject: Courts: Fees, Libraries, Counties
Type: Original
Date: February 2, 2001

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Local Government	Unknown to (\$1,000,000)	Unknown to (\$1,000,000)	Unknown to (\$1,000,000)

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 4 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials of the **State Courts Administrators Office** stated that this proposal would have fiscal impact to local governments. Officials stated that this proposal sets a mandatory Circuit Court library fee of \$15 (Currently, the fee is “not to exceed fifteen dollars”). Officials stated they do not know how much increased income might accrue from those courts that are assessing less than \$15.00, but it would be local income. **Oversight** will show this income as Unknown.

Court officials stated this proposal repeals the authority for courts to spend earnings on the Court’s Registry accounts and repeals the provision that balances be turned over to the County’s General Revenue Fund. Officials assume there would be two impacts to Counties: 1) a source of money for court operating expenses would be eliminated, which would increase reliance on other county revenue; and 2) the county would lose a source of revenue because the transfer of fund balance to the County’s General Revenue Fund is repealed. Officials stated that statistics on registry accounts in the counties are not centrally reported, however, officials estimate the loss to the county’s budgets on a statewide basis at at least \$1,000,000 in any year, and could be greater.

Officials of the **Jackson County Court Administrator’s Office** assume this proposal would require all deposits with the Court to be placed in individual interest-bearing trust accounts. Officials stated they have thousands of small filing fee deposits, gamishment payments, and other types of deposits made with the Court annually. The administrative impact to establish a separate account for each deposit would be prohibitive. Interest earned on these types of deposits are insignificant.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
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	\$0	\$0	\$0
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<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
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COUNTIES GENERAL REVENUE FUND

<u>Income</u> to Certain Counties from fee revenue	Unknown	Unknown	Unknown
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<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
<u>Loss to Certain Counties</u> from repeal of Section 483.310	<u>(\$1,000,000)</u>	<u>(\$1,000,000)</u>	<u>(\$1,000,000)</u>
ESTIMATED NET EFFECT TO COUNTIES	<u>Unknown to</u> <u>(\$1,000,000)</u>	<u>Unknown to</u> <u>(\$1,000,000)</u>	<u>Unknown to</u> <u>(\$1,000,000)</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal would require Circuit Clerks to deposit funds other than those collected pursuant to subsection 2 of Section 488.012, RSMo, into certain types of savings accounts as specified in the law. Current law requires a Court order to be made before deposits are made.

This proposal repeals language that allows investment income to be spent on employee bonds, safety deposit box rent, publications of the Missouri Bar, and other items as listed in the law. Any balance of funds would no longer be deposited into the County's General Revenue Fund.

This proposal would require any party filing a civil case pay a mandatory fifteen dollar surcharge at the time of filing their case. Current law allows Circuit Clerks to charge a fee up to, but not exceeding fifteen dollars.

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
Jackson County Circuit Court Administrator

NOT RESPONDING:

The Circuit Clerks of : Cole, Callaway, Boone, Platte, Jasper, Greene, and St.Charles Counties

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is stylized with a large initial "J" and a cursive script.

Jeanne Jarrett, CPA
Director
February 2, 2001