

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1790-01  
Bill No.: SB 458  
Subject: Crimes and Punishment; Evidence; Criminal Procedure  
Type: Original  
Date: February 19, 2001

---

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2002</b>	<b>FY 2003</b>	<b>FY 2004</b>
General Revenue Fund	Could exceed \$100,000	Could exceed \$100,000	Could exceed \$100,000
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>Could exceed \$100,000</b>	<b>Could exceed \$100,000</b>	<b>Could exceed \$100,000</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2002</b>	<b>FY 2003</b>	<b>FY 2004</b>
None			
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2002</b>	<b>FY 2003</b>	<b>FY 2004</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 3 pages.

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Office of the State Public Defender** assume, for the purpose of this proposed legislation, although the possible penalties for several crimes involving theft of items worth less than \$500 will be reduced, existing staff will continue to provide representation where indigent persons were charged. In reality, the workload on these particular felony reduced to misdemeanor cases would be less, but then the number of these cases is very minimal when compared to the total State Public Defender caseload.

Officials from the **Office of State Courts Administrator** would not anticipate a significant impact on the workload of the judiciary as a result of the proposed legislation.

Officials from the **Office of Prosecution Services** assume the cost of the proposed legislation can be absorbed by prosecutors.

Officials from the **Department of Corrections (DOC)** assume raising the felony limit of stolen property from \$150 to \$500 for the specific crimes outlined in this proposal should prove to find more offenders receiving misdemeanor (or lesser) charges and less offenders receiving felony (or more extensive) sentences, as so outlined for each crime.

In summary, DOC assumes an unknown savings amount per year (estimated at less than \$100,000 annually) at this time until this fiscal note can be updated with numbers calculated from the DOC database on each specific charge code for offenders DOC currently supervises. Property value amounts are not listed in the database. Therefore, consultation with other agencies is required in order to potentially ascertain the breakdown of values for use in estimating fiscal impact due to passage of this note.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
<b>GENERAL REVENUE FUND</b>			
<u>Savings</u> - Department of Corrections Fewer prison commitments	Could exceed \$100,000	Could exceed \$100,000	Could exceed \$100,000
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>	<b>Could exceed <u>\$100,000</u></b>	<b>Could exceed <u>\$100,000</u></b>	<b>Could exceed <u>\$100,000</u></b>

FISCAL IMPACT - Local Government

FY 2002  
(10 Mo.)

FY 2003

FY 2004

\$0

\$0

\$0

FISCAL IMPACT - Small Business

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

DESCRIPTION

The proposed legislation revises numerous theft crimes to reflect a new felony limit of \$500.  
The current limit is \$150.

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  
Office of State Courts Administrator  
Office of Prosecution Services  
Department of Corrections



Jeanne Jarrett, CPA  
Director

February 19, 2001