

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3091H.01I
Bill No.: HB 1971
Subject: Probation and Parole; Drugs and Controlled Substances
Type: Original
Date: January 4, 2024

Bill Summary: This proposal changes the law regarding private probation supervision services by prohibiting drug and alcohol screen tests unrelated to the offense and requiring the use of earned compliance credits.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on FTE	0	0	0

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§§559.016 and 559.600 – Private probation services

Officials from the **Department of Corrections (DOC)**, the **Missouri Department of Transportation**, and **Office of the State Courts Administrator (OSCA)** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

In response to similar legislation from 2019 (Perfected HCS for HB 80), **Oversight** contacted the DOC regarding the changes to the language in §559.016. The DOC stated the term of probation for misdemeanors (unless sexual in nature) or a municipal ordinance violation, would not affect the DOC.

In response to similar legislation from 2019 (Perfected HCS for HB 80), **Oversight** also contacted the DOC and the OSCA to obtain a listing and/or the number of private probation services in addition to the number of offenders utilizing the service. DOC officials stated the statute that permits private probation allows courts to contract to provide supervision to clients, therefore, DOC would not have this information. In addition, OSCA is not able to reliably provide a list of court-approved entities that provide private probation supervision services. Circuit courts are responsible for contracting with the companies that provide this type of service. Courts enter the probation record but cannot tell if an offender is using a private probation supervision services company.

<u>FISCAL IMPACT – State Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

Certain small businesses that provide private probation services could be impacted by this proposal.

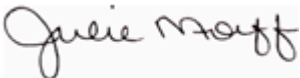
FISCAL DESCRIPTION

The proposed legislation appears to have no direct fiscal impact.

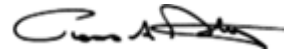
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Corrections
Missouri Department of Transportation
Office of the State Courts Administrator



Julie Morff
Director
January 4, 2024



Ross Strope
Assistant Director
January 4, 2024