

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5174H.02C
 Bill No.: HCS for HB 2423
 Subject: Judges; Courts
 Type: Original
 Date: April 5, 2022

Bill Summary: This proposal increases personnel for certain judicial circuits.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
General Revenue*	(\$459,998)	Could exceed (\$930,895)	Could exceed (\$930,895)
Total Estimated Net Effect on General Revenue	(\$459,998)	Could exceed (\$930,895)	Could exceed (\$930,895)

*The Probate Commissioner to the 11th Judicial Circuit is also included in the Judiciary's FY2023 Budget Request (pages 70 - 76) under a new decision item #5.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
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 2023	FY 2024	FY 2025
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
General Revenue	2 FTE	4 FTE	4 FTE
Total Estimated Net Effect on FTE	2 FTE	4 FTE	4 FTE

- 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 2023	FY 2024	FY 2025
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§478.437 – 21st Judicial Circuit

Oversight notes this section of the proposal adds one additional circuit judge to the 21st judicial circuit in FY 24. The Office of the State Courts Administrator (OSCA) did not respond to Oversight's request for fiscal impact. However, using information from OSCA's FY23 Budget Request (pgs. 318-319), Oversight will assume that a Circuit Judge's salary is \$159,578 annually. Oversight will use an 82% (62% contribution rate under the Judicial Plan for MOSERS plus other fringe benefit items) fringe rate for this section of the proposal. Oversight is unclear if there will be expenses relating to a one-time expense and/or on-going expenses annually, therefore, Oversight will assume a cost that could exceed \$290,432 annually for the Circuit Judge for this proposal.

Oversight also notes for each circuit judge that is added, a court reporter is also added for staffing. Using information from OSCA's FY23 Budget Request (pgs. 318-319), Oversight will assume that a Court Reporter's salary is \$60,072 annually. Oversight will use a 55% (23% contribution rate under the Judicial Plan for MOSERS plus other fringe benefit items) fringe rate for this section of the proposal. Oversight is unclear if there will be expenses relating to a one-time expense and/or on-going expenses annually, therefore, Oversight will assume a cost that could exceed \$93,112 annually for a Court Reporter for this proposal.

§478.600 – 11th Judicial Circuit

In response to a previous version, officials from the **Office of the State Courts Administrator (OSCA)** assumed this proposed legislation adds provisions relating to the Eleventh Judicial Court.

Section 478.320.6 adds one additional associate circuit judge to the Eleventh Judicial circuit to be elected in 2024. The FY23 salary of an associate circuit judge is projected to be \$150,035 plus E&E of \$2,446.

Section 478.265.7 adds a commissioner of the probate division at the beginning FY23. The FY23 salary of a commissioner is projected to be \$150,035 plus E&E of \$2,446.

The proposed legislation's additions of an associate circuit judge and commissioner of the probate division are approximately \$304,962 and 2 FTE.

Oversight notes the E&E amount above is broken down by a one-time equipment expense of \$1,834 in FY23 and an on-going expense of \$612 for FY24 & FY25. Oversight is using an 82% (62% contribution rate under the Judicial Plan for MOSERS plus other fringe benefit items)

fringe rate for this proposal. **Oversight** does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by the OSCA and will also include fringe benefits for the new FTEs.

Bill as a Whole

Officials from the **City of St. Louis** assume the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for that city.

<u>FISCAL IMPACT – State Government</u>	FY 2023 (10 Mo.)	FY 2024	FY 2025
GENERAL REVENUE			
<u>Costs – OSCA (\$478.437)</u>		Could exceed	Could exceed
Personal Service (Circuit Judge)	\$0	(\$159,578)	(\$159,578)
Fringe Benefits	\$0	(\$130,854)	(\$130,854)
<u>Total Costs – OSCA</u>	\$0	(\$290,432)	(\$290,432)
FTE Change – OSCA	0 FTE	1 FTE	1 FTE
<u>Costs – OSCA (\$478.437)</u>		Could exceed	Could exceed
Personal Service (Court Reporter)	\$0	(\$60,072)	(\$60,072)
Fringe Benefits	\$0	(\$33,040)	(\$33,040)
<u>Total Costs – OSCA</u>	\$0	(\$93,112)	(\$93,112)
FTE Change – OSCA	0 FTE	1 FTE	1 FTE
<u>Costs – OSCA (\$478.600)</u>			
Personal Service	(\$250,058)	(\$300,070)	(\$300,070)
Fringe Benefits	(\$205,048)	(\$246,057)	(\$246,057)
Equipment and Expense	(\$4,892)	(\$1,224)	(\$1,224)
<u>Total Costs – OSCA</u>	(\$459,998)	(\$547,351)	(\$547,351)
FTE Change – OSCA	2 FTE	2 FTE	2 FTE
ESTIMATED NET EFFECT ON GENERAL REVENUE		<u>Could Exceed</u>	<u>Could exceed</u>
	<u>(\$459,998)</u>	<u>(\$930,895)</u>	<u>(\$930,895)</u>
Estimated Net FTE Change for General Revenue	2 FTE	4 FTE	4 FTE

<u>FISCAL IMPACT – Local Government</u>	FY 2023 (10 Mo.)	FY 2024	FY 2025
	<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.

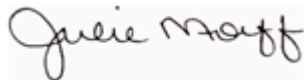
FISCAL DESCRIPTION

This proposal increases personnel for certain judicial circuits.


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 Courts Administrator
City of St. Louis



Julie Morff
Director
April 5, 2022



Ross Strobe
Assistant Director
April 5, 2022