

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3312-01  
Bill No.: HB 821  
Subject: Law Enforcement Officers and Agencies  
Type: Original  
Date: January 8, 2004

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**FISCAL SUMMARY**

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

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

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
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

### FISCAL ANALYSIS

#### ASSUMPTION

Officials from the **Department of Natural Resources, Department of Conservation** and the **Department of Public Safety - Divisions of Director's Office, Fire Safety and Alcohol and Tobacco Control** each state the proposal would not have a fiscal impact on their respective agencies.

Officials from the **Department of Public Safety - State Highway Patrol (MHP)** state they interpret the language in the bill, "made available to any hiring law enforcement agency", to mean MHP would be required to let them view the files. Therefore, MHP anticipates no fiscal impact. If this interpretation is inaccurate and the intent of that statute is that the MHP would have to make copies of the file, there would be a minimal fiscal impact of approximately \$900 a year. However, this cost could be absorbed.

Officials from the **Jefferson City Police Department** state the proposal could result in an unknown amount of future savings by reducing litigations for some departments.

Officials from the **St. Louis Metropolitan Police Department (SLMPD)** assume the proposal could result in a minimal cost increase for providing hard copies if requested from other law enforcement agencies. SLMPD state they currently provide information to the POST

ASSUMPTION (continued)

Commission for all Internal Affairs Division cases (even when police officers leave the department without a final determination).

Officials from the **Columbia Police Department** state that by giving the releasing agency immunity, POST and other inquiring agencies could find out the pertinent details of an officer.

**Oversight** assumes state law enforcement departments and law enforcement agencies of local governments would realize some insignificant administrative impact. Oversight assumes any impact realized could be absorbed by the affected law enforcement bodies at their current appropriation levels.

Officials from the **Department of Corrections, Kansas City Police Department**, and the **Sheriffs of Cole and Boone Counties** did not respond to our request for fiscal impact.

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

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

FISCAL IMPACT - Small Business

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

### DESCRIPTION

This proposal requires law enforcement agencies to provide the personnel records of any peace officer when the peace officer seeks employment with another law enforcement agency. These records include any uncompleted investigation of alleged acts of the peace officer.

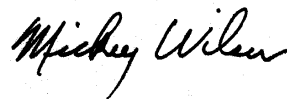
The proposal also requires law enforcement agencies to notify the Peace Officer Standards and Training Commission upon acquiring information that demonstrates the peace officer's unfitness for certification.

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 Public Safety  
Director's Office  
Missouri Highway Patrol  
Liquor Control  
Fire Safety  
Department of Natural Resources  
Department of Conservation  
Columbia Police Department  
Jefferson City Police Department  
St. Louis Metropolitan Police Department

**NOT RESPONDING: Department of Corrections, Kansas City Police Department  
Cole County Sheriff, Boone County Sheriff**



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