

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3421-01
Bill No.: HB 1063
Subject: Crimes and Punishment; Public Safety Department; Water Patrol.
Type: Original
Date: February 2, 2004

FISCAL SUMMARY

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

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

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

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

FISCAL ANALYSIS

ASSUMPTION

In response to a similar proposal from this year, officials from the **Office of the State Courts Administrator (CTS)** stated that while there may be an increase in the number of cases filed as a result of Water Patrol action, CTS did not expect the overall caseload to increase significantly.

In response to a similar proposal from this year, officials from the **Office of Prosecution Services** stated any costs arising from the proposal could be absorbed with existing resources.

Officials from the **Department of Public Safety - Missouri State Water Patrol** state the proposal would result in no cost to the state or local jurisdictions, while lessening the burden of local law enforcement.

Officials from the **Office of the State Public Defender** assume this proposal would not fiscally impact their agency.

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

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

DESCRIPTION

The proposal extends the ability of water patrol officers to enforce the law on all premises leased or owned or under control of the Missouri State Water Patrol (Section 306.165).

The proposal allows Water Patrol officers to arrest anyone violating the law in his or her presence throughout the state (Section 306.165).

The proposal allows Water Patrol officers to arrest a person if there is probable cause that the individual committed a crime originally under the Water Patrol's jurisdiction, even if the suspect is currently out of the Water Patrol's jurisdiction. If possible, the water patrol officer must notify the respective local law enforcement of the city or county of the arrest (Section 306.165).

The proposal changes the required training of water patrol officers from 600 hours to that required by the certification and training provisions of Chapter 590, RSMo (Section 306.165).

The proposal grants the State Water Patrol full authority, as given to other peace officers when working in cooperation with other law enforcement agencies, to enforce vehicular traffic violations as long as such power is exercised only upon prior notification of the chief law

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enforcement officer of each jurisdiction (Section 306.167).

DESCRIPTION (continued)

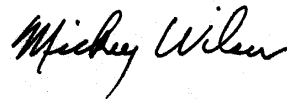
The proposal allows state Water Patrol officers to obtain a search warrant anywhere in the state if the crime that was originally committed was within the Water Patrol officer's jurisdiction. The sheriff of the county where the warrant is to be served must be notified of the application for a search warrant (Section 306.169).

The proposal expands the definition of "peace officer" in sections relating to searches and seizures to include members of the State Water Patrol (Section 542.261).

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
Missouri State Water Patrol
Office of Prosecution Services
Office of the State Courts Administrator
Office of the State Public Defender



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Director
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