

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1193-03  
Bill No.: HCS for HB 365  
Subject: County Officials; Firearms and Fireworks; Law Enforcement Officers and Agencies  
Type: Original  
Date: February 28, 2005

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2006</b>	<b>FY 2007</b>	<b>FY 2008</b>
General Revenue	\$0	\$0	\$0
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2006</b>	<b>FY 2007</b>	<b>FY 2008</b>
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 6 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2006</b>	<b>FY 2007</b>	<b>FY 2008</b>
<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 2006</b>	<b>FY 2007</b>	<b>FY 2008</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

### **FISCAL ANALYSIS**

#### **ASSUMPTION**

Officials of the **Office of Attorney General** assume the costs of the proposal can be absorbed within existing resources.

Officials of the **Office of Administration (COA)** stated that there may be no impact to the Office of Administration, however, COA is charged with reimbursing County Sheriffs for expenses related to the concealed weapons legislation if there are not sufficient funds in the County Sheriff's Revolving fund. COA officials assumed the following:

- Assumption 1: An appropriation is made for this purpose.
- Assumption 2: All counties will charge the maximum fee allowable.
- Assumption 3: The Attorney General's Office will certify additional expenses.
- Assumption 4: Most reasonable and necessary expenses will be covered by the County Sheriff's Revolving Fund.

ASSUMPTION (continued)

- Assumption 5: Staff time is the largest component of expense related to the permits.
- Assumption 6: Additional equipment could be costly – law enforcement software, fingerprinting, tracking. Office supplies, postage, phone calls, computers, and storage will be needed.
- Assumption 7: Applications to carry concealed weapons will decrease in FY 07.
- Assumption 8: County staff hours include: processing background checks, fingerprinting, filing, follow-ups, communication with permit-seekers and other law enforcement agencies, receipt/deposit of fees, and reconciliation of annual and follow-up fees with revolving fund. Law enforcement software and equipment could be required.

COA assumes expenses could exceed the maximum fee amounts collected. There is a potential for escalating costs to COA. COA estimates the cost to be Unknown, but less than \$100,000 per fiscal year.

Officials from the **Boone County Sheriff's Office** assume there would be revenue generated and cost, and assume there would be no savings or losses. Officials assume no fiscal impact.

In response to a previous version of the proposal (HB 365, LR # 1193-01), officials from the **Clark County Sheriff's Office** stated they have issued 30 concealed carry permits to date. The time it takes them to issue the permits is approximately 1 hour. If you figure the cost of the permits, the 1 hour rate is around \$50.00 and the \$38.00 for the records check the Missouri State Highway Patrol charge, the average cost for a permit is \$88.00 for the Clark County Sheriff's Office.

In response to a previous version of the proposal (HB 365, LR # 1193-01), officials from the **Cole County Sheriff's Office** stated it takes them approximately 1 hour to complete a concealed carry application. This includes assisting applicants in completing the forms, fingerprinting the applicant, and data entry. No special equipment was needed to process these applications. Postage and fingerprint supplies are required.

ASSUMPTION (continued)

In response to a previous version of the proposal (HB 365, LR # 1193-01), officials from the **Johnson County Sheriff's Office** stated they have processed 232 concealed carry permits. The average time spent by a clerk per application is 30 minutes. A clerk's hourly pay rate is \$10.24. The average labor cost per permit is \$5.12. Officials incur the following costs to process concealed carry permits:

Labor (\$5.12/permit x 232 permits)	\$1,187.84
Software	\$2,200.00
Electric Typewriter	<u>\$185.00</u>
Total costs	\$3,572.84
Maximum permit fee (\$100/permit x 232)	\$23,200.00
Fingerprint charge (\$38/permit x 232)	<u>\$8,816.00</u>
Total revenues	\$14,384.00
Total revenues	\$14,384.00
Total costs	<u>\$3,572.84</u>
Net revenues if charging max fee	\$10,811.16

Officials from the **Jackson County Sheriff's Office** responded to Oversight's request, but issued no fiscal impact statement.

**Oversight** assumes this proposal allows County Sheriffs to use monies in the Sheriff's Revolving Fund for expenses related to the conceal and carry law. Oversight assumes this provision would have no fiscal impact in that it does not create additional monies nor does it mandate an expenditure of funds. This provision provides for another use of existing revenues.

**Oversight** assumes, based on the information received from county sheriff's offices, the \$100 maximum fee should be sufficient to cover the cost of processing concealed carry applications. Therefore, Oversight assumes the counties will have no unreimbursed expenses. Oversight assumes no fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2006	FY 2007	FY 2008
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2006	FY 2007	FY 2008
	<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 proposed legislation would repeal the provision in Section 50.535, RSMo, requiring money in a county sheriff's revolving fund to be used only for the purchase of equipment and to provide training for law enforcement officers. County sheriffs would be able to use moneys in the fund to cover the costs associated with the processing of concealed carry endorsements or renewals, including the purchase of equipment, training, fingerprinting and background checks, employment of additional personnel, and any expenditure necessitated by an action revoking or denying an endorsement. If the actual expenses in a given year exceed the revenue generated by the statutory maximum application fee of \$100, a sheriff could present specific and verified evidence of the unreimbursed expenses to the Office of Administration. Upon certification by the Attorney General, the Office of Administration would reimburse the sheriff from an appropriation made for that purpose.

The proposal contains an emergency clause and shall be in full force and effect upon passage and approval.

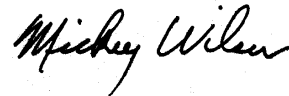
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

**SOURCES OF INFORMATION**

Office of the Attorney General  
Office of Administration  
Boone County Sheriff's Office  
Clark County Sheriff's Office  
Johnson County Sheriff's Office  
Cole County Sheriff's Office  
Jackson County Sheriff's Office

**NOT RESPONDING**

**Greene County Sheriff's Office  
St. Louis County Police Department**

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA  
Director  
February 28, 2005