

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4452-01
Bill No.: HB 1635
Subject: Courts; Family Law; Law Enforcement Officers and Agencies
Type: Original
Date: May 1, 2006

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Local Government	(Unknown)	(Unknown)	(Unknown)

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Corrections, Department of Social Services, Department of Public Safety – Missouri State Highway Patrol, – Director’s Office,** and the **Boone County Sheriff’s Department** assume the proposal would have no fiscal impact on their agencies.

Officials from the **Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on the courts.

Officials from the **Springfield Police Department** assume they would incur increased costs in the form of staff time to transport children and seize and store firearms. Officials estimate the increased costs to be \$2,000 annually.

Oversight assumes local law enforcement agencies could experience increased costs as a result of the proposed legislation. Oversight assumes the statewide increased costs to be unknown.

ASSUMPTION (continued)

Officials from the Office of Prosecution Services, Office of the State Public Defender, Columbia Police Department, Greene County Sheriff's Department, Jackson County Sheriff's Department, Kansas City Police Department, St. Louis County Police Department, and the St. Louis Metropolitan Police Department did not respond to Oversight's request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
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POLITICAL SUBDIVISIONS

Costs – law enforcement agencies

Transporting children and seizing and
storing firearms

<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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**ESTIMATED NET EFFECT ON
POLITICAL SUBDIVISIONS**

<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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FISCAL IMPACT - Small Business

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

DESCRIPTION

The proposed legislation allows an adult who has been abused by a present or former adult household member to seek a protection order for any children in his or her custody. Any protection order issued will be effective throughout the state and will apply to all children in the custody of the adult. When law enforcement officers arrive at the scene of an incident, they are required to provide or arrange transportation to a medical facility or shelter for the abused party and any children. Currently, officers are only required to provide or arrange transportation for the abused party.

An officer responding to the scene of an alleged act of domestic violence may remove a firearm if there is probable cause to believe domestic violence has occurred and a firearm was observed during the response. A sheriff must also deny any application or revoke the permit to acquire or purchase a concealable weapon of an individual who is subject to an existing order of protection prohibiting possession of a firearm; has been convicted, pled guilty to, or pled nolo contendere to domestic assault; or has been convicted, pled guilty to, or pled nolo contendere to a violation of an order of protection in which a firearm was used or possessed.

The proposal prohibits any person from shipping, transporting, possessing, or receiving any firearm or ammunition from an individual who is subject to a court order of protection or has been convicted of a misdemeanor crime of domestic violence.

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 State Courts Administrator
Department of Corrections
Department of Social Services
Department of Public Safety
 – Missouri State Highway Patrol
 – Office of the Director
Boone County Sheriff's Department
Springfield Police Department

NOT RESPONDING

**Office of Prosecution Services
Office of the State Public Defender
Columbia Police Department
Greene County Sheriff's Department
Jackson County Sheriff's Department
Kansas City Police Department
St. Louis County Police Department
St. Louis Metropolitan 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
May 1, 2006