

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1504-01
Bill No.: HB 551
Subject: Law Enforcement Officers and Agencies; Public Safety Department
Type: Original
Date: February 12, 2007

Bill Summary: This proposal authorizes compensation to be paid on behalf of public safety workers who are killed in the line of duty.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
General Revenue	(\$50,000)	(\$360,000)	(\$660,000)
Total Estimated Net Effect on General Revenue Fund	(\$50,000)	(\$360,000)	(\$660,000)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

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

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☒ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Conservation (MDC)** assume the proposal would have no impact on MDC funds.

Officials from the **Department of Corrections, Department of Health and Senior Services** as well as the **Department of Public Safety - Director's Office, Capitol Police, Fire Safety, Water Patrol** and **Alcohol and Tobacco Control** each assume the proposal would not fiscally impact their respective agencies.

Officials from the **Office of the State Courts Administrator** assume the proposal would not fiscally impact the courts.

Officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** state the first trooper who died in the line of duty was in 1933. To date, there have been 27 total, 10 of those occurring since 1996. Something like this is impossible to predict, but if the Patrol were to take the average of the past 10 years, there has been approximately one trooper per year who died in the line of duty.

Based solely on that average, the cost of this legislation would have been approximately \$110,000 per year, presumably from General Revenue funds. For the purposes of this fiscal note, that would be our estimate for future years as well.

Officials from the **Department of Natural Resources (DNR)** state this proposal would establish the Line of Duty Compensation Act. This Act would allow a person designated by a law enforcement officer, emergency medical technician, paramedic, or firefighter killed in the line of duty to file a claim for compensation with the Division of Workers' Compensation within one year of the date of death. This proposal would also provide a burial benefit of up to \$10,000, payable to the surviving spouse or estate of the public safety worker killed in the line of duty.

Currently, the Department of Natural Resources - Division of State Parks has 47 full-time rangers and 2 commissioned facility managers who could be affected by this proposal. The actual fiscal impact would be unknown, as this would depend on the number of law enforcement officers killed in the line of duty. The Division's maximum potential liability would be \$5,390,000 ($\$100,000 * 49 + \$10,000 * 49$) as a result of this bill in any given year.

ASSUMPTION (continued)

Officials from the **Department of Labor and Industrial Relations (DOLIR)** as well as the **Office of the Attorney General (AGO)** did not respond to our request for fiscal impact.

Oversight assumes the AGO and DOLIR could implement this proposal with existing resources.

In response to SB 712 from 2004, the Office of Administration stated that an average of six public safety officers die in the line of duty each year. Obviously, this number could be higher or lower than the actual number each year, but **Oversight** will utilize this estimate for purposes of the fiscal note.

The death benefits would be paid for deaths after January 1, 2009, therefore, **Oversight** will assume 3 deaths in FY 2009 (for one-half of a fiscal year). Oversight assumes the burial benefits of \$10,000 will be effective August 28, 2007, and therefore will assume 5 deaths (6/12 x 10) in FY 2008.

The bill is silent to the fund the benefits would be paid from, therefore, **Oversight** will assume the death benefits and the burial benefits will be paid from the General Revenue fund.

<u>FISCAL IMPACT - State Government</u>	FY 2008 (10 Mo.)	FY 2009	FY 2010
GENERAL REVENUE FUND			
<u>Costs</u> - death benefits for public safety workers killed in the line of duty (287.995.3)	\$0	(\$300,000)	(\$600,000)
<u>Costs</u> - burial benefits for public safety workers killed in the line of duty (287.995.6)	<u>(\$50,000)</u>	<u>(\$60,000)</u>	<u>(\$60,000)</u>
ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND	<u>(\$50,000)</u>	<u>(\$360,000)</u>	<u>(\$660,000)</u>

FISCAL IMPACT - Local Government

FY 2008
(10 Mo.)

FY 2009

FY 2010

\$0

\$0

\$0

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

This proposal establishes the Line of Duty Compensation Act which allows a person designated by a law enforcement officer, emergency medical technician, paramedic, or firefighter to file a claim for compensation with the Division of Workers' Compensation in the Department of Labor and Industrial Relations within one year of the death of the law enforcement officer, emergency medical technician, paramedic, or firefighter if the person is killed in the line of duty. The amount of compensation for the claim will be \$100,000, subject to appropriation, for deaths occurring on or after January 1, 2009. A burial benefit of up to \$10,000 will also be payable to the surviving spouse or the estate of a law enforcement officer or firefighter who is killed in the line of duty.

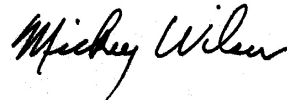
The provisions of the bill will expire six years from the effective date.

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
Department of Corrections
Department of Health and Senior Services
Department of Conservation
Department of Natural Resources
Office of the State Courts Administrator

NOT RESPONDING:
Office of the Attorney General
Department of Labor and Industrial Relations

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

Mickey Wilson, CPA
Director
February 12, 2007