

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 6105-02
Bill No.: HCS for HB 2344
Subject: Law Enforcement Officers and Agencies; Public Records; Public Meetings
Type: Original
Date: March 16, 2016

Bill Summary: This proposal specifies when data is to be considered open record and when such data is required to be closed.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
General Revenue	Unknown	Unknown	Unknown
Total Estimated Net Effect on General Revenue	Unknown	Unknown	Unknown

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
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 2017	FY 2018	FY 2019
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Local Government	Unknown	Unknown	Unknown

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the Governor**, the **Office of the State Auditor**, the **Department of Public Safety - Missouri Gaming Commission**, the **Office of the State Treasurer**, the **Department of Public Safety - Division of Fire Safety**, the **Department of Public Safety - Missouri Veterans Commission**, the **State Tax Commission**, the **Missouri Consolidated Health Care Plan**, the **Department of Revenue**, the **Joint Committee on Public Employee Retirement**, the **Administrative Hearing Commission**, the **Office of the State Courts Administrator**, the **Missouri Lieutenant Governor**, the **Office of the State Public Defender**, the **Legislative Research**, the **Missouri State Employees Retirement System**, the **Missouri Lottery Commission** and the **MoDOT and Patrol Employees Retirement System** each assume the current proposal would not fiscally impact their respective agencies.

Officials from the **Office of Administration - Budget and Planning** state that currently, RSMo 610.026.1(1) allows public agencies, when fulfilling records requests, to charge fees for research time. This proposal specifies that research time includes time spent reviewing records to determine whether they are closed or are authorized to be closed. This could impact state agencies fulfilling such requests. This may increase Total State Revenue by an unknown amount and could impact the calculation under Article X, Section 18(e).

Oversight assumes this proposal may impact local law enforcement agencies in a similar manner as stated above by Office of Administration - Budget and Planning. For fiscal note purposes, Oversight will show an unknown positive impact to these agencies.

In response to a previous version of this proposal, officials from the **Department of Mental Health**, the **Department of Transportation**, the **Department of Elementary and Secondary Education**, the **Missouri Senate**, the **Department of Economic Development**, the **Office of Prosecution Services**, the **Department of Agriculture**, the **Missouri Ethics Commission**, the **Joint Committee on Administrative Rules**, the **Department of Higher Education**, the **Department of Public Safety - the Alcohol and Tobacco Control**, the **Department of Public Safety - State Emergency Management Agency**, and the **Department of Public Safety - Missouri Highway Patrol** each assumed the proposal would not fiscally impact their respective agencies.

This proposal could increase Total State Revenue.

<u>FISCAL IMPACT - State Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
GENERAL REVENUE FUND			
<u>Income</u> - Research Fees	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
LOCAL LAW ENFORCEMENT AGENCIES			
<u>Income</u> - Research Fees	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
ESTIMATED NET EFFECT ON LOCAL LAW ENFORCEMENT AGENCIES	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>

FISCAL IMPACT - Small Business

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

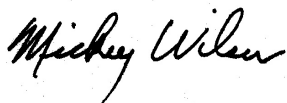
FISCAL DESCRIPTION

This proposal requires a mobile video recording that is recorded in a nonpublic location to be closed, except that any person who is depicted in the recording or whose voice is in the recording, or his or her agent as specified in the bill, may obtain a complete, unaltered, and unedited copy of the recording upon written request.

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 Mental Health
Department of Revenue
Missouri Lieutenant Governor
Department of Transportation
Office of the State Courts Administrator
Department of Elementary and Secondary Education
Office of the Governor
Missouri Senate
Office of the State Public Defender
Department of Economic Development
Administrative Hearing Commission
Department of Public Safety
 Alcohol and Tobacco Control
 Fire Safety
 Missouri Gaming Commission
 Missouri Veterans Commission
 State Emergency Management Agency
 Missouri Highway Patrol
Legislative Research
Missouri Consolidated Health Care Plan
Office of Prosecution Services
Office of the State Treasurer
State Tax Commission
Department of Agriculture
Joint Committee on Public Employee Retirement
Missouri Lottery Commission
Missouri Ethics Commission
MoDOT and Patrol Employees Retirement System
Joint Committee on Administrative Rules
Department of Higher Education
Office of the State Auditor
Missouri State Employees Retirement System



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