

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 6295-01  
Bill No.: HB 2443  
Subject: Law Enforcement Officers and Agencies; Employees-Employers  
Type: #Updated  
Date: March 15, 2016  
#Updated to reflect additional responses from local political subdivisions.

---

Bill Summary: This proposal specifies that a law enforcement officer must not be removed from employment unless just cause is found.

**FISCAL SUMMARY**

| ESTIMATED NET EFFECT ON GENERAL REVENUE FUND                 |            |            |            |
|--|------------|------------|------------|
| FUND AFFECTED  | FY 2017    | FY 2018    | FY 2019    |
|  |            |            |            |
| <b>Total Estimated<br/>Net Effect on<br/>General Revenue</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> |

| ESTIMATED NET EFFECT ON OTHER STATE FUNDS                             |            |            |            |
|---|------------|------------|------------|
| FUND AFFECTED   | FY 2017    | FY 2018    | FY 2019    |
|   |            |            |            |
|   |            |            |            |
| <b>Total Estimated<br/>Net Effect on <u>Other</u><br/>State Funds</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> |

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 5 pages.

| <b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>                  |            |            |            |
|---|------------|------------|------------|
| FUND AFFECTED   | FY 2017    | FY 2018    | FY 2019    |
|   |            |            |            |
|   |            |            |            |
| <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 FULL TIME EQUIVALENT (FTE)</b> |          |          |          |
|---|----------|----------|----------|
| FUND AFFECTED   | FY 2017  | FY 2018  | FY 2019  |
|   |          |          |          |
|   |          |          |          |
| <b>Total Estimated Net Effect on FTE</b>                  | <b>0</b> | <b>0</b> | <b>0</b> |

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

| <b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b> |                  |                  |                  |
|--|------------------|------------------|------------------|
| FUND AFFECTED                              | FY 2017          | FY 2018          | FY 2019          |
| <b>#Local Government</b>                   | <b>(Unknown)</b> | <b>(Unknown)</b> | <b>(Unknown)</b> |

## FISCAL ANALYSIS

### ASSUMPTION

#Due to time constraints, **Oversight** originally prepared a fiscal note for this bill without all of the agency responses. Oversight has since obtained the agency responses and upon review of those responses, believes the original fiscal note should be updated. Therefore, this fiscal note updates the original by providing agency responses.

#Officials at the **City of Kansas City** assume that the City's airport police are within the broad category of law enforcement. This statute sets out a procedure which could require the displacement of personnel decisions from the City's Human Resources Board to the City Council. This will entail indirect costs because of the potential for greatly expanded meetings when the issues of dismissal of an airport police officer is before it. There will also be the direct costs of litigation establishing the applicability of this statute to the City.

#Officials at the **City of Columbia** assume unknown cost from this proposal. Columbia's home rule charter prohibits City Council member involvement in personnel actions except for the three at-will employees appointed directly by the Council: City Manager, City Clerk and Municipal Judge. The penalty for such involvement is forfeiture of office. If the charter had to be amended to accommodate this proposal, the City would bear the cost of an election, which varies with the number of issues on the ballot. Assuming the charter was amended or some other means was found to accommodate these new provisions, there would be new costs administrative costs associated with City Council meetings dealing directly with these personnel actions

Officials at the **Department of Public Safety's Missouri Highway Patrol** assume no fiscal impact from this proposal.

Officials at the **Callaway County Commission**, the **City of Independence Police Department**, the **Cole County Sheriff's Department**, the **Springfield Police Department** and the **St. Louis County Justice Services** each assume no fiscal impact to their respective entities from this proposal.

| <u>FISCAL IMPACT - State Government</u> | FY 2017<br>(10 Mo.) | FY 2018    | FY 2019    |
|---|---------------------|------------|------------|
|   | <u>\$0</u>          | <u>\$0</u> | <u>\$0</u> |

| <u>FISCAL IMPACT - Local Government</u>   | FY 2017<br>(10 Mo.)     | FY 2018                 | FY 2019                 |
|---|-------------------------|-------------------------|-------------------------|
| <b>#LOCAL POLITICAL SUBDIVISIONS</b>  |                         |                         |                         |
| <u>#Costs</u> - Local Political Subdivisions -<br>administrative and litigation costs | <u>(Unknown)</u>        | <u>(Unknown)</u>        | <u>(Unknown)</u>        |
| <b>#ESTIMATED NET EFFECT ON<br/>LOCAL POLITICAL SUBDIVISIONS</b>                      | <u><b>(Unknown)</b></u> | <u><b>(Unknown)</b></u> | <u><b>(Unknown)</b></u> |

FISCAL IMPACT - Small Business

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

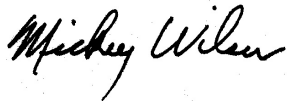
FISCAL DESCRIPTION

#This bill specifies that a law enforcement officer not subject to removal under Sections 43.150 or 57.275, RSMo, must be subject to removal from office or employment by the governing body of the political subdivision employing the officer if the governing body finds just cause, as defined in the bill, to remove him or her from duty under these provisions. The bill requires the governing body to issue a written notice to the officer no less than 10 business days prior to the meeting where his or her removal will be considered. The officer must be given written notice with specified information including stating just cause for the officer's removal and must be given the opportunity to speak before the governing body, together with any witnesses, evidence, and counsel of his or her choosing.

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 Highway Patrol  
Callaway County Commission  
City of Independence Police Department  
Cole County Sheriff's Department  
Springfield Police Department  
St. Louis County Justice Services  
#City of Kansas City  
#City of Columbia



Mickey Wilson, CPA  
Director  
March 15, 2016

Ross Strobe  
Assistant Director  
March 15, 2016