

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0388-01  
Bill No.: HB 426  
Subject: Public Safety, Department of; Law Enforcement Officers and Agencies,  
Emergencies; Workers' Compensation  
Type: Original  
Date: February 6, 2017

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Bill Summary: This proposal modifies provisions of the Line of Duty Compensation Act to establish a hierarchy for distribution of survivors benefits received under the Act.

**FISCAL SUMMARY**

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
<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.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
<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.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials at the **Department of Labor and Industrial Relations (DOLIR) - Division of Workers' Compensation (DWC)** believe that any additional responsibilities, including an increase in investigation efforts to substantiate claims, could be absorbed by existing staff. However, the effect of any judicial pronouncements could affect long-range estimates. If significant impact that could not be absorbed were realized in out-years, the division would request additional resources through the appropriation process.

Officials at the **Department of Conservation (MDC)** assume this proposal would have a negative fiscal impact on their organization estimated at less than \$100,000 annually.

**Oversight** will not show a fiscal impact to MDC based on information obtained from the Department of Labor and Industrial Relations - Division of Workers' Compensation FY2017 budget submitted to the Governor. The following table provides the number of claims and total dollar amount paid in claims from the Line of Duty Compensation Fund (0939). As the table indicates in FY2013 there were 13 claims for a total of \$325,000 paid out and decreases to 2 claims and \$50,000 paid out in FY2015. Therefore, Oversight will not show a fiscal impact to MDC from this proposal.

<b>Department of Labor and Industrial Relations - Division of Workers' Compensation</b>				
<b>Line of Duty Compensation - Fund 0939</b>				
	FY2013	FY2014	FY2015	FY2016
# of Claims Paid	13	10	2	*
Total Dollar Amount of Claims Paid	\$325,000	\$250,000	\$50,000	\$0
* None as of the date when the FY2017 Budget was prepared and finalized for submission to Governor				
<i>Information in this table obtained from the FY2017 Budget (pages 164 &amp; 165) which was submitted to the Governor by Department of Labor and Industrial Relations.</i>				

ASSUMPTION (continued)

Officials at the **Department of Transportation** assume this proposal would not have a fiscal impact on their organization.

Officials at the **Department of Public Safety - Highway Patrol** defer to Department of Transportation's Enterprise Risk Management Program for a fiscal impact.

Officials from the **Office of the Secretary of State (SOS)** state many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with the core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

Officials at the **Office of Administration - Accounting, Office of Administration - General Services, Department of Corrections, Department of Natural Resources, and Joint Committee on Administrative Rules** each assume this proposal will not have a fiscal impact on their respective organizations.

Officials at the **St. Louis County Police Department, St. Louis County Justice Services, and Springfield Police Department** each assume this proposal will not have a fiscal impact on their respective organizations.

Officials from the Boone County Sheriff Department, Buchanan County Sheriff's Department, Cass County Sheriff Department, Clark County Sheriff's Department, Cole County Sheriff Department, Columbia Police Department, Independence Police Department, Jackson County Sheriff Department, Jefferson City Police Department, Platte County Sheriff's Department, St. Charles Police Department, St. Joseph Police Department, and the St. Louis Metropolitan Police Department did not respond to **Oversight's** request for fiscal impact.

Officials at the Battlefield Fire Protection District, Central County Fire and Rescue, Centralia Fire Department, Creve Coeur Fire District, DeSoto Rural Fire Protection District, Hawk Point Fire Protection District, Hillsboro Fire Protection District, Lake St. Louis Fire District, Mehlville Fire District, Nixa Fire Protection District, Saline Valley Fire Protection District and the Southern Iron County Fire Protection District did not respond to **Oversight's** request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
	<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.

FISCAL DESCRIPTION

Currently, under the Line of Duty Compensation Act, the estate of the deceased files a claim for compensation with the Division of Workers' Compensation no later than one year from the date of the death of the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter. This bill provides that the survivors of the deceased shall file the claim, rather than the estate of the deceased. The bill further establishes the hierarchy for distribution of compensation.

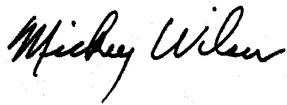
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Conservation  
Department of Labor and Industrial Relations  
    Division of Workers' Compensation  
Department of Transportation  
Department of Public Safety - Highway Patrol  
Office of Secretary of State  
Office of Administration - Accounting  
Office of Administration - General Services  
Department of Corrections  
Department of Natural Resources

SOURCES OF INFORMATION (continued)

Joint Committee on Administrative Rules  
St. Louis County Police Department  
St. Louis County Justice Services  
Springfield 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 6, 2017

Ross Strobe  
Assistant Director  
February 6, 2017