

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5771-01
Bill No.: HB 2172
Subject: Crimes and Punishment; Law Enforcement Officers and Agencies
Type: Original
Date: March 12, 2018

Bill Summary: This proposal establishes the “Fourth Amendment Affirmation Act.”

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
General Revenue	(\$79,077)	(\$86,641)	(\$87,545)
Total Estimated Net Effect on General Revenue	(\$79,077)	(\$86,641)	(\$87,545)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
Conservation Commission Fund	(Less than \$100,000)	(Less than \$100,000)	(Less than \$100,000)
Total Estimated Net Effect on <u>Other</u> State Funds	(Less than \$100,000)	(Less than \$100,000)	(Less than \$100,000)

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
General Revenue	1 FTE	1 FTE	1 FTE
Total Estimated Net Effect on FTE	1 FTE	1 FTE	1 FTE

☐ 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 2019	FY 2020	FY 2021
Local Government	(Unknown)	(Unknown)	(Unknown)

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Attorney General's Office (AGO)** assume the potential costs of implementing this proposal will be one additional FTE Assistant Attorney General II position (at \$50,500) to implement the additional obligations of certifying, monitoring and studying law enforcement agency's discriminatory policing policies. This estimate may increase or decrease based on the number of agencies the AGO is required to annually certify, monitor and study.

Officials from the **Missouri Department of Conservation (MDC)** assume there will be an unknown fiscal impact of less than \$100,000 due to training and staff time for reporting requirements.

Officials from the **Department of Public Safety - Office of the Director, Department of Public Safety - Missouri Highway Patrol, Department of Natural Resources, Department of Social Services - State Technical Assistance Team and Department of Social Services - Division of Legal Services** each assume the proposal will have no fiscal impact on their respective organizations.

Officials from the **St. Louis County Police Department** assume this proposal creates a process for reducing bias in policing. The process includes changes to the way data is collected and analyzed. At a minimum, this proposal would require all commissioned staff to undergo one hour of training. There are currently 915 commissioned employees making an average hourly rate of \$46.77. The training would also have to be developed over approximately 5 hours at an hourly rate of \$50. At minimum, the training would cost \$43,045.

In addition to the training, Regional Justice Information Service (REJIS) would have to make changes to the current data collection system. In order for these changes to be made, REJIS would charge St. Louis County Police Department an unknown amount.

Officials from the **Branson Police Department** assume this proposal could have a large financial impact to their agency.

Officials from the Ashland Police Department, Boone County Sheriff's Department, the Cape Girardeau County Sheriff's Department, the Columbia Police Department, the Independence Police Department, the Jasper County Sheriff's Department, the Springfield Police Department, the Platte County Sheriff's Department, the St. Joseph Police Department, and the St. Louis Metropolitan Police Department did not respond to **Oversight's** request for fiscal impact.

ASSUMPTION (continued)

Oversight will reflect an Unknown cost to local law enforcement agencies due to this proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2019 (10 Mo.)	FY 2020	FY 2021
GENERAL REVENUE FUND			
<u>Cost - AGO</u>			
Personal Services	(\$42,083)	(\$51,005)	(\$51,515)
Fringe Benefits	(\$21,489)	(\$25,936)	(\$26,088)
Equipment and Expense	(\$15,505)	(\$9,700)	(\$9,942)
<u>Total Cost - AGO</u>	<u>(\$79,077)</u>	<u>(\$86,641)</u>	<u>(\$87,545)</u>
FTE Change - AGO	1 FTE	1 FTE	1 FTE
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>(\$79,077)</u>	<u>(\$86,641)</u>	<u>(\$87,545)</u>
Net FTE Change to the General Revenue Fund	1 FTE	1 FTE	1 FTE
CONSERVATION COMMISSION FUND			
<u>Cost - MDC - training and staff time for reporting requirements</u>	(Less than <u>\$100,000</u>)	(Less than <u>\$100,000</u>)	(Less than <u>\$100,000</u>)
ESTIMATED NET EFFECT ON THE CONSERVATION COMMISSION FUND	(Less than <u>\$100,000</u>)	(Less than <u>\$100,000</u>)	(Less than <u>\$100,000</u>)

<u>FISCAL IMPACT - Local Government</u>	FY 2019 (10 Mo.)	FY 2020	FY 2021
LOCAL LAW ENFORCEMENT			
<u>Cost</u> - Police Departments and Sheriff's Departments - additional training and reporting requirements	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT ON LOCAL LAW ENFORCEMENT	<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 bill establishes various provisions related to the prohibition against discriminatory policing. The bill adds to the information about which an officer is required to report each time he or she stops a driver of a motor vehicle, and it adds to the Attorney General's responsibilities regarding the analyzing of annual reports compiled by each law enforcement agency relating to discriminatory policing.

The bill requires each law enforcement agency shall adopt a policy on discriminatory policing, as well as a policy eliminating discriminatory policing in the administration of consent searches, and it provides what such policy shall accomplish.

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 the Attorney General
Department of Public Safety - Office of the Director
Missouri Highway Patrol
Department of Natural Resources
Missouri Department of Conservation
Department of Social Services - Division of Legal Services
Department of Social Services - State Technical Assistance Team
St. Louis County Police Department
Branson Police Department

Ross Strobe

A handwritten signature in black ink, appearing to read "Ross Strobe", with a stylized flourish at the end.

Acting Director
March 12, 2018