

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0764H.01P  
 Bill No.: Perfected HB 70  
 Subject: Law Enforcement Officers and Agencies; Department of Elementary and Secondary Education  
 Type: Original  
 Date: March 7, 2023

Bill Summary: This proposal modifies provisions relating to school protection officers.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Criminal Record System Fund (0671)*	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>

\*Oversight assumes a fiscal impact of less than \$250,000 annually

Numbers within parentheses: () indicate costs or losses.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</b>
<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>			
<b>FUND AFFECTED</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</b>
<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 \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

**Oversight** was unable to receive some of the agency responses in a timely manner due to the short fiscal note request time. Oversight has presented this fiscal note on the best current information that we have or on prior year information regarding a similar bill. Upon the receipt of agency responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval to publish a new fiscal note.

Sections 160.665, 571.107, 571.215, 590.010, and 590.205 (School protection officers)

In response to the previous version, officials from the **Department of Elementary and Secondary Education, Department of Public Safety - Office of the Director** and the **Department of Public Safety - Missouri Highway Patrol** each assumed the proposal would have no fiscal impact on their respective organizations.

**Oversight** notes that the above mentioned agencies have stated the proposal would not have a direct fiscal impact on their respective organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note.

**Oversight** received zero responses from school districts related to the fiscal impact of this proposal. Oversight has presented this fiscal note on the best current information available. Upon the receipt of additional responses, Oversight will review to determine if an updated fiscal note should be prepared and seek approval to publish a new fiscal note.

**Oversight** only reflects the responses received from state agencies and political subdivisions; however, school districts were requested to respond to this proposed legislation but did not. A listing of political subdivisions included in the Missouri Legislative Information System (MOLIS) database is available upon request.

House Amendment 1 to House Amendment 2 - Section 43.539 Missouri Rap Back Program

In response to a similar proposal, SB 264 (2023), officials from the **Department of Public Safety (Missouri Highway Patrol, Office of the Director, Missouri Gaming Commission, Missouri National Guard, Missouri Veterans Commission, and State Emergency Management Agency), the Department of Commerce and Insurance, the Department of Elementary and Secondary Education, the Department of Health and Senior Services, the Department of Mental Health, the Department of Labor and Industrial Relations, the Department of Revenue, the Department of Social Services, the Missouri Department of Agriculture, the Missouri Department of Transportation, the Office of Administration, the**

**Office of the State Auditor, the Office of the State Courts Administrator, the Missouri Lottery Commission, the Kansas City Police Department, the St. Joseph Police Department, the St. Louis County Police Department, and the Phelps County Sheriff’s Department** assumed the proposal would have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note.

**Oversight** only reflects the responses that we have received from state agencies and political subdivisions; however, other police and sheriff’s departments were requested to respond to this proposed legislation but did not. A general listing of political subdivisions included in the MOLIS database is available upon request.

Responses regarding the proposed legislation as a whole

Officials from the **Department of Commerce and Insurance, Department of Corrections, Department of Public Safety (Director’s Office, Missouri Highway Patrol, Veterans Commission and the State Emergency Management Agency), Department of Social Services, Missouri Department of Transportation, Department of Health and Senior Services, Missouri Office of Prosecution Services, Phelps County Sheriff, Branson Police Department and the St. Louis County Police Department** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Upon further inquiry, the **Missouri Highway Patrol** stated the impact to the Criminal Record System fund is unknown.

**Oversight** will show a range of impact to the Criminal Record System fund of \$0 to an unknown loss from foregone fees for criminal record reviews. Oversight is uncertain how many criminal record reviews are completed due to the six year requirement; however, Oversight does not anticipate the impact to exceed the \$250,000 threshold.

<u>FISCAL IMPACT – State Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026
<b>CRIMINAL RECORD SYSTEM FUND (0671)</b>			
<u>Loss</u> - from foregone fees for criminal record reviews - \$43,539	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<b>ESTIMATED NET EFFECT ON THE CRIMINAL RECORD SYSTEM FUND</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>

<u>FISCAL IMPACT – Local Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026
	<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, school districts may designate teachers or administrators to be school protection officers. This bill adds other designated school personnel to the list of employees a school district may designate as a school protection officer and allows designated school personnel the authority to carry a weapon on school grounds if they have obtained a concealed carry endorsement or permit.

Under current law, an entity participating in the Missouri Rap Back Program may request a person's updated criminal history record if the person has previously had a Missouri and national criminal record review within the previous six years. This act repeals the six year requirement.

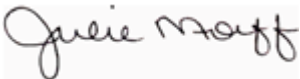
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

- Department of Public Safety
  - Missouri Highway Patrol
  - Office of the Director
  - Missouri Gaming Commission
  - Missouri Veterans Commission
  - State Emergency Management Agency
- Department of Commerce and Insurance
- Department of Elementary and Secondary Education
- Department of Health and Senior Services
- Department of Mental Health
- Department of Labor and Industrial Relations
- Department of Revenue

L.R. No. 0764H.01P  
Bill No. Perfected HB 70  
Page 6 of 6  
March 7, 2023

Department of Social Services  
Missouri Department of Agriculture  
Missouri Department of Transportation  
Office of Administration  
Missouri National Guard  
Office of the State Auditor  
Office of the State Courts Administrator  
Missouri Lottery Commission  
Department of Commerce and Insurance  
Department of Corrections  
Missouri Office of Prosecution Services  
Kansas City Police Department  
St. Joseph Police Department  
St. Louis County Police Department  
Phelps County Sheriff's Department  
Branson Police Department  
St. Louis County Police Department



Julie Morff  
Director  
March 7, 2023



Ross Strobe  
Assistant Director  
March 7, 2023