

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1706H.02C
 Bill No.: HCS for HB 669
 Subject: Law Enforcement Officers and Agencies; Federal - State Relations; Criminal Procedure
 Type: Original
 Date: April 5, 2023

Bill Summary: This proposal modifies provisions relating to the Rap Back System.

FISCAL SUMMARY

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

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

*Oversight assumes any fiscal impact would not reach the \$250,000 threshold.

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Total Estimated Net Effect on FTE	0	0	0

- 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.

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

FISCAL ANALYSIS

ASSUMPTION

§§43.539 and 43.540 – Missouri Rap Back Program

Officials from 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 Public Safety – (Missouri Highway Patrol, Office of the Director, State Emergency Management Agency and Missouri Veterans Commission)**, the **Department of Revenue**, the **Missouri Department of Agriculture**, the **Missouri Department of Transportation**, the **Missouri Lottery Commission**, the **Missouri National Guard**, the **Office of Administration**, the **Office of the State Auditor**, the **St. Louis County Police Department**, and the **Phelps County Sheriff’s Department** assume the proposal will have no fiscal impact on their respective organizations.

In response to a previous version, officials from the **Department of Labor and Industrial Relations**, the **Department of Public Safety - Missouri Gaming Commission**, the **Department of Social Services**, the **Office of the State Courts Administrator**, the **Branson Police Department**, the **Kansas City Police Department**, and the **St. Joseph Police Department** assumed 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.

In response to similar legislation from 2023 (HB 70), the **Missouri Highway Patrol** stated, upon further inquiry, the impact to the Criminal Record System fund is unknown. Oversight assumes removing the “within the previous six years” from section in the bill, may result in a reduction in fees paid to the Criminal Records Systems Fund.

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.

<u>FISCAL IMPACT – State Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026
CRIMINAL RECORD SYSTEM FUND (0671)			
<u>Loss</u> (\$43.539) From foregone fees for criminal record reviews	<u>\$0 to</u> <u>(Unknown)</u>	<u>\$0 to</u> <u>(Unknown)</u>	<u>\$0 to</u> <u>(Unknown)</u>
ESTIMATED NET EFFECT ON THE CRIMINAL RECORD SYSTEM FUND	<u>\$0 to</u> <u>(Unknown)</u>	<u>\$0 to</u> <u>(Unknown)</u>	<u>\$0 to</u> <u>(Unknown)</u>

<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

RAP BACK (Sections 43.539 and 43.540)

Currently, qualified entities receive Rap Back notifications for individuals as long as the individual has had a Missouri and national criminal record review completed within the previous six years. This bill eliminates the six-year limitation such that a qualified entity will continue to receive Rap Back notifications for individuals as long as the individuals have at some point had a Missouri and national criminal record review completed.

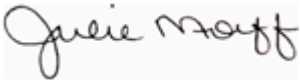
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

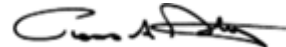
Department of Commerce and Insurance
 Department of Elementary and Secondary Education
 Department of Health and Senior Services

L.R. No. 1706H.02C
Bill No. HCS for HB 669
Page 5 of 5
April 5, 2023

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Department of Revenue
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Missouri Lottery Commission
Missouri Department of Agriculture
Missouri Department of Transportation
Office of Administration
Office of the State Courts Administrator
Office of the State Auditor
Branson Police Department
Kansas City Police Department
St. Joseph Police Department
St. Louis County Police Department
Phelps County Sheriff's Department



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