

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2287S.04C
 Bill No.: SCS for HCS for HB 1015
 Subject: Crimes and Punishment; Law Enforcement Officers and Agencies; Emergencies;
 Roads and Highways
 Type: Original
 Date: May 1, 2023

Bill Summary: This proposal modifies provisions relating to public safety.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND				
FUND AFFECTED	FY 2024	FY 2025	FY 2026	Fully Implemented (FY 2031)
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS				
FUND AFFECTED	FY 2024	FY 2025	FY 2026	Fully Implemented (FY 2031)
Highway Patrol Traffic Records Fund (0758)	\$0 to \$250	\$0 to \$25,250	\$0 to \$30,250	\$0 to \$120,250
Total Estimated Net Effect on Other State Funds	\$0 to \$250	\$0 to \$25,250	\$0 to \$30,250	\$0 to \$120,250

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS				
FUND AFFECTED	FY 2024	FY 2025	FY 2026	Fully Implemented (FY 2031)
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)				
FUND AFFECTED	FY 2024	FY 2025	FY 2026	Fully Implemented (FY 2031)
Total Estimated Net Effect on FTE	0	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	Fully Implemented (FY 2031)
Local Government	\$0	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§43.253 – Fees paid to the Missouri State Highway Patrol

Officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** assume this legislation would add language to §43.253, RSMo, to allow the MHP to charge a minimum fee of \$6 to disseminate records requests. The proposal does not mandate a minimum \$6 fee be imposed; it simply allows for such. Allowing a minimum \$6 fee for duplication of records disseminated upon request would authorize the Patrol to raise the crash report fee from the current price of \$5.99 to \$6.00. The Superintendent of the Missouri State Highway Patrol would be allowed to increase the minimum fee described in this section by not more than one dollar every other year following this section's effective date, up to a maximum of ten dollars. The Patrol Records Division disseminates approximately 30,000 crash reports per year. Fees for this service are collected and deposited into the Traffic Records Fund (0758).

Any funding increase realized by the Traffic Records Fund will be reinvested in an electronic report dissemination software. This enhancement will allow individuals to request, purchase, and receive records requests through an electronic portal.

Oversight notes the increased revenue could be realized if fees are increased to their maximum allowable amount (every other year):

FY24 Based on 10/12 rule
Traffic Crash Reports
(30,000 x .08333 =) 25,000 traffic crash reports x \$.01 fee increase (**fee at \$6**) = \$250

FY25 Based on 10/12 rule
Traffic Crash Reports
(30,000 x .08333 =) 25,000 traffic crash reports x \$1 increase (**fee at \$7**) = \$25,000

FY26 Traffic Crash Reports
30,000 x \$1 increase (**fee at \$7**) = \$5,000 [Full year (\$30,000 - \$25,000)]

FY27 Traffic Crash Reports
30,000 x \$1 increase (**fee at \$8**) = \$30,000

FY29 Traffic Crash Reports
30,000 x \$1 increase (**fee at \$9**) = \$30,000

FY31 Traffic Crash Reports
30,000 x \$1 increase (**fee at \$10**) = \$30,000

Oversight notes the increase in fees will result in the revenue from these fees compounding over the years from FY24 through FY31 as shown below:

$\$250$ (FY24) + $\$25,000$ (FY25) + $\$5,000$ (FY26) + $30,000$ (FY27) + $\$30,000$ (FY29)
+ $\$30,000$ (FY31) = $\$120,250$ (Traffic Fund)

Oversight also notes the revenue presented for FY31 was determined under the assumption that the MHP will increase the minimum fee as outlined in this proposal (additional \$1 every other year).

However, because this proposal is permissive, Oversight will range the revenue from \$0 (no increase in fees) to the estimate of \$120,250 (fee not to exceed \$10) to the Highway Patrol Traffic Records Fund for fiscal note purposes.

In response to similar legislation from 2023, Perfected HCS for HB 443, officials from the **Office of the State Courts Administrator**, the **Kansas City Police Department** and the **St. Joseph Police Department** assumed the proposal will have no fiscal impact on their respective organizations.

§§44.087, 300.100 & 304.022 – Assistance from another Jurisdiction & Siren Use for Emergency Vehicles

In response to a previous version, officials from the **Office of the State Courts Administrator**, the **Kansas City Police Department** and the **St. Joseph Police Department** each 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.

§§67.145, 105.500, 190.100, 190.103, 190.142, 190.147, 192.2405, 208.1032, 285.040, 321.225, 321.620 & 537.037 – Emergency medical services

In response to similar legislations from 2023, HCS for HB 1128 & SB 625, officials from the **Kansas City Police Department** assumed the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these sections.

§168.133 – Criminal Background Checks on School Personnel

Oversight assumes this section will have no fiscal impact on the state.

§§190.600, 190.603, 190.606, 190.612 and 190.613 – Do-not-resuscitate orders for children

In response to similar legislation from 2023, HCS for HB 594, officials from the **Kansas City Police Department** and the **Cole Camp Ambulance District** each 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, HCS for HB 594, officials from the **Office of the State Courts Administrator** and the **Fruitland Area Fire Protection District – Cape Girardeau** assumed the proposal would have no fiscal impact on their respective organizations.

§571.031 – Blair’s Law

Officials from the **Department of Corrections** assume not fiscal impact from these provisions.

Officials from the **Office of the State Public Defender (SPD)** state the creation of Blair's Law under Section 571.031 will have an unknown impact on SPD, as the additional number of cases which will require SPD representation is unknown.

Oversight notes in FY22 the SPD was appropriated moneys for 53 additional FTE. Oversight assumes this proposal will create a minimal number of new cases and that the SPD can absorb the additional caseload required by this proposal with current staff and resources. Therefore, Oversight will reflect no fiscal impact to the SPD for fiscal note purposes. However, if multiple bills pass which require additional staffing and duties, the SPD may request funding through the appropriation process.

In response to similar legislation from 2023, Perfected HS for HCS for HB Nos. 1108 & 1181, officials from the **Kansas City Police Department** assumed the proposal will have no fiscal impact on their organization.

In response to similar legislation from 2023, Perfected HS for HCS for HB Nos. 1108 & 1181, officials from the **Missouri Department of Conservation**, the **Office of the State Courts Administrator** 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 this section of the proposal.

§§590.033, 590.040, and 590.080 – Peace officer standards

Officials from the **Department of Public Safety – Office of the Director** assume the proposal would not create a fiscal impact to their department.

In response to similar legislation from 2023, Perfected HS for HCS for HB Nos. 1108 & 1181, officials from the **Missouri Department of Conservation**, the **Kansas City Police Department**, and the **St. Joseph Police Department** each 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 sections of the proposal.

In response to similar legislation from 2023, Perfected HS for HCS for HB Nos. 1108 & 1181, officials from the **Oronogo Police Department** indicated this proposal would have a fiscal impact on their organization. However, **Oversight** notes they provided no information explaining the potential fiscal impact this proposal would have on their organization. Therefore, for fiscal note purposes, Oversight assumes any fiscal impact incurred by this police department would be absorbable within current funding levels.

§610.021 – Closure of certain public safety records

In response to similar legislation from 2023, Perfected HS for HCS for HB Nos. 1108 & 1181, officials from the **Office of the Lieutenant Governor** assumed the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note for this section.

Responses regarding the proposed legislation as a whole

Officials from the **Attorney General’s Office**, the **Office of Administration - Administrative Hearing Commission**, the **Department of Commerce and Insurance**, the **Department of Economic Development**, the **Department of Higher Education and Workforce Development**, the **Department of Health and Senior Services**, the **Department of Labor and Industrial Relations**, the **Department of Mental Health**, the **Department of Natural Resources**, the **Department of Corrections**, the **Department of Revenue**, the **Department of Social Services**, the **Missouri Department of Transportation**, the **Office of Administration**, the **Department of Public Safety (Division of Alcohol and Tobacco Control, Fire Safety, Office of the Director, Missouri Gaming Commission, Missouri Veterans Commission, State Emergency Management Agency)**, the **Missouri Department of Agriculture**, the **Missouri Ethics Commission**, the **Missouri National Guard**, the **MoDOT & Patrol Employees’ Retirement System**, the **City of Kansas City**, the **City of Springfield**, the **Newton County Health Department**, the **Phelps County Sheriff’s Office**, the **Branson Police Department**, the **St. Louis County Police Department**, the **Office of the State Auditor**, the **Missouri House of Representatives**, the **Joint Committee on Administrative Rules**, the **Joint Committee on Public Employee Retirement**, the **Joint Committee on Education**, the **Missouri State Employee's Retirement System**, the **Oversight Division**, the **Missouri Senate**, the **Missouri Lottery Commission**, the **Missouri Consolidated Health Care Plan**, the **Missouri Office of Prosecution Services** and the **State Tax Commission** 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.

Officials from the **Office of the Secretary of State (SOS)** note 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 \$5,000. 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 its 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.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other cities, counties, county health departments, circuit clerks, local law enforcement, fire protection districts, ambulance districts and 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.

<u>FISCAL IMPACT – State Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026	Fully Implemented (FY 2031)
HIGHWAY PATROL TRAFFIC RECORDS FUND (0758)				
<u>Revenue – MHP (§43.253) Fees from records request p. 3-4</u>	<u>\$0 to \$250</u>	<u>\$0 to \$25,250</u>	<u>\$0 to \$30,250</u>	<u>\$0 to \$120,250</u>
ESTIMATED NET EFFECT ON THE HIGHWAY PATROL TRAFFIC RECORDS FUND	<u>\$0 to \$250</u>	<u>\$0 to \$25,250</u>	<u>\$0 to \$30,250</u>	<u>\$0 to \$120,250</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026	Fully Implemented (FY 2031)
	<u>\$0</u>	<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

HIGHWAY PATROL RECORDS FEES (Section 43.253)

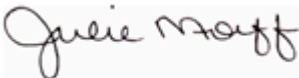
This bill provides that a minimum fee of \$6 may be charged by the State Highway Patrol for any records request for a Missouri Uniform Crash Report or Marine Accident Investigation Report where there is an allowable fee of less than \$6. Such \$6 fee will be in place of the allowable fee of less than \$6. The fee may be increased by no more than \$1 every other year starting August 28, 2024 but must not exceed \$10.

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

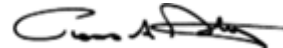
SOURCES OF INFORMATION

Missouri Highway Patrol
Department of Labor and Industrial Relations
Missouri Department of Transportation
Department of Revenue
Phelps County Sheriff's Office
Branson Police Department
Kansas City Police Department
St. Joseph Police Department
St. Louis County Police Department
Attorney General's Office
Office of Administration
 Administrative Hearing Commission
Department of Economic Development
Department of Higher Education and Workforce Development
Department of Mental Health
Department of Natural Resources
Department of Corrections
Department of Public Safety
 Division of Alcohol and Tobacco Control
 Fire Safety
 Office of the Director
 Missouri Gaming Commission
 Missouri Veterans Commission
 State Emergency Management Agency
Missouri Department of Agriculture

Missouri Ethics Commission
Office of Administration
Missouri National Guard
MoDOT & Patrol Employees' Retirement System
City of Kansas City
City of Springfield
Newton County Health Department
Office of the State Auditor
Missouri House of Representatives
Joint Committee on Administrative Rules
Joint Committee on Education
Oversight Division
Missouri Senate
Missouri Lottery Commission
Missouri Consolidated Health Care Plan
Missouri Office of Prosecution Services
State Tax Commission
Department of Commerce and Insurance
Department of Health and Senior Services
Office of the Secretary of State
Office of the State Public Defender
Joint Committee on Public Employee Retirement
Missouri State Employee's Retirement System
Office of the State Courts Administrator
Cole Camp Ambulance District
Fruitland Area Fire Protection District
Missouri Department of Conservation
Office of the Lieutenant Governor
Department of Social Services



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