

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4170H.01I
Bill No.: HB 1716
Subject: Children and Minors; Law Enforcement Officers and Agencies
Type: Original
Date: February 4, 2024

Bill Summary: This proposal modifies provisions relating to missing persons.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on <u>Other State Funds</u>	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
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 2025	FY 2026	FY 2027
Local Government	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

FISCAL ANALYSIS

ASSUMPTION

§§43.401, 43.410, 43.411, and 58.451 – Missing persons

Officials from the **Department of Public Safety (DPS) – Director’s Office (DO)** state this agency is a consolidated agency under **Office of Administration – Information Technology Services Division (OA-ITSD)**. OA-ITSD has provided the following estimate:

OA, ITSD assumes every new IT project/system will be bid out because all ITSD resources are at full capacity. IT contract rates are estimated at \$105/hour. OA-ITSD estimates that IT consultants will require 86.4 hours at the contract rate of \$105 to make the system changes required under this proposal for a one-time cost to the General Revenue Fund of \$9,072.

Oversight does not have any information to the contrary. However, Oversight assumes DPS or OA has sufficient core funding to absorb this minimal expense and assumes no fiscal impact for fiscal note purposes.

Officials from the **St. Louis County Police Department** assume this proposal will have unknown but significant costs to the department. Unclear legislation makes it difficult to estimate costs.

Oversight has no information to the contrary. Oversight notes the impact provided by the St. Louis County Police Department and assumes a \$0 to (Unknown) fiscal impact to local governments.

Officials from the **Department of Health and Senior Services**, the **Department of Natural Resources**, the **DPS – Capitol Police** and **Missouri Highway Patrol**, the **Department of Social Services**, the **Missouri Department of Conservation**, the **Phelps County Sheriff’s Department**, the **Branson Police Department**, and the **Kansas City 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.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other sheriffs’ and police departments and various county officials 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 2025 (10 Mo.)	FY 2026	FY 2027
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
LOCAL GOVERNMENTS – POLICE & SHERIFFS			
<u>Costs</u> – Police & Sheriffs (§§43.401, 43.410, 43.411, and 58.451) – related to missing persons reports	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
ESTIMATED NET EFFECT ON LOCAL GOVERNMENTS	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>	<u>\$0 to (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 requires a law enforcement agency that receives a missing child complaint from any agency or placement provider, parent, or guardian with the care and custody of a missing child to generate a report of the missing person with the National Missing and Unidentified Persons System (NamUs) within 30 days, and the law enforcement agency may attempt to obtain additional information and materials that have not been received. The Peace Officer Standards and Training (POST) Commission must establish appropriate training resources focused on investigations of unidentified and missing persons and all licensed peace officers will be required to complete such training on a regular basis.

The bill also requires every coroner or medical examiner to promptly furnish to any law enforcement agency with jurisdiction copies of fingerprints, personal descriptions, and other identifying data for unidentified deceased persons. The bill requires a responding law enforcement agency that receives notice of the discovery of human remains to immediately

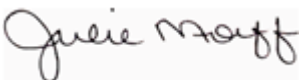
notify the medical examiner or coroner of the county in which the remains were found, and the medical examiner or coroner must go to the scene and take charge of the remains. The medical examiner, coroner, or assisting law enforcement agency must make reasonable attempts to immediately identify the remains, unless the remains are historic or prehistoric skeletal remains, including by seeking support from appropriate state and federal agencies.

Fingerprints from unidentified remains must be submitted to the State Highway Patrol or other law enforcement agency with jurisdiction, and a forensic odontologist must perform a dental examination on the remains for the purpose of dental charting. Tissue samples collected for DNA analysis must be submitted within 30 days to a NamUs partner laboratory. The medical examiner or coroner must report the remains and the location they were found to the State Highway Patrol within 24 hours of discovery and to the FBI within 72 hours of discovery if the remains are not identified. The medical examiner, coroner, or assisting law enforcement agency must contact the Highway Patrol to request the creation of a National Crime Information Center Unidentified Person record within five days of discovering the remains. The medical examiner, coroner, or assisting law enforcement agency will create an unidentified person record in the NamUs prior to the submission of samples or within 30 days of the discovery of the unidentified remains. (§§43.401, 43.410, 43.411, and 58.451)

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 Health and Senior Services
Department of Natural Resources
Department of Public Safety –
 Capitol Police
 Director's Office
 Missouri Highway Patrol
Department of Social Services
Missouri Department of Conservation
Phelps County Sheriff's Department
Branson Police Department
Kansas City Police Department
St. Louis County Police Department



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February 4, 2024



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February 4, 2024