

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4178H.01I
Bill No.: HB 1769
Subject: Employees - Employers; Fire Protection; Labor and Management
Type: Original
Date: January 15, 2024

Bill Summary: This proposal establishes the "Firefighters Procedural Bill of Rights Act".

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</u> State Funds	\$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

Officials from the **Department of Public Safety (Fire Safety and the Director’s Office)** and the **Office of Administration** each assume the proposal will have no fiscal impact on their respective organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note.

Officials from the **City of Kansas City** assume the proposal, Section 320.528, would require the City to defend and indemnify a firefighter who has committed gross negligence, this could lead to the City being responsible for a judgment against such firefighter that it would not otherwise be liable for.

Oversight notes the Kansas City Fire Department (KCFD), according to the latest provided KCFD statistics, had 1,260 firefighters responding to the various incidents from 2017-2021 as follow:

	2017	2018	2019	2020	2021
Fire	1918	2459	2129	2408	2,073
Overpressure/rupture /explosion	44	32	119	146	79
Rescue & EMS	95,713	95,713	97,752	90,218	87,605
Service Call	11,681	14,447	8516	7886	8,405
Good Intent Call	5822	6097	12,994	11,684	13,347
False Alarm	1724	1545	4188	4,048	4,765
Severe Weather	8	30	227	4	13
Special Incident	218	206	223	683	340
Total Calls	117,128	120,619	126,223	117,077	118,384

Source: <https://www.kcmo.gov/city-hall/departments/fire>

Oversight notes the proposal, Section 320.528 2. denotes: “It shall be a requirement that any employer shall provide legal defense for any firefighter who, while acting in the normal course of his or her duties, is named as a defendant in civil litigation relating to such duties.”

Oversight notes it is unknown how many such lawsuits will be submitted in future; however, given the amount of calls and number of fire personnel serving each year, it is possible; the City of Kansas City would incur additional expenditure when defending their employees in various lawsuits. Therefore, Oversight will note unknown direct impact to the local political governments beginning FY 2025.

<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 POLITICAL SUBDIVISIONS			
<u>Cost – 320.528. 2 providing defense in various lawsuits</u>	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>
ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	<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.

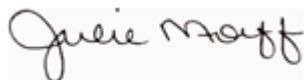
FISCAL DESCRIPTION

This bill establishes the "Firefighters Procedural Bill of Rights Act".


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 – Fire Safety
 Department of Public Safety – Director’s Office
 Office of Administration
 City of Kansas City



Julie Morff
 Director
 January 15, 2024



Ross Strope
 Assistant Director
 January 15, 2024