

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2513H.01I
Bill No.: HB 1101
Subject: Crimes and Punishment; Criminal Procedure; Aircraft and Airports
Type: Original
Date: March 2, 2025

Bill Summary: This proposal establishes the offense of unlawful use of unmanned aircraft over a crime scene, critical incident, law enforcement tactical operation, or hazardous material site.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
General Revenue*	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
Total Estimated Net Effect on General Revenue	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

*OSCA's potential costs are not expected to exceed \$250,000 annually.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Various state funds*	Less than \$250,000	Less than \$250,000	Less than \$250,000
Total Estimated Net Effect on <u>Other</u> State Funds	Less than \$250,000	Less than \$250,000	Less than \$250,000

*The court costs for a Class A Misdemeanor offense go to various state and local funds.

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
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 2026	FY 2027	FY 2028
Local Government*	Less than \$250,000	Less than \$250,000	Less than \$250,000

*The fine revenue for a Class A Misdemeanor offense goes to local school districts and court costs go to various state and local funds.

FISCAL ANALYSIS

ASSUMPTION

§577.802 – Unlawful use of unmanned aircraft over certain locations

Officials from the **Office of the State Courts Administrator (OSCA)** state HB 1101 may have some impact but there is no way to quantify that amount currently. Any significant changes will be reflected in future budget requests.

Oversight notes OSCA assumes this proposal may have some impact on their organization although it can't be quantified at this time. As OSCA is unable to provide additional information regarding the potential impact, Oversight assumes the proposed legislation will have a \$0 to (Unknown) cost to the General Revenue Fund. For fiscal note purposes, Oversight also assumes the impact will be under \$250,000 annually. If this assumption is incorrect, this would alter the fiscal impact as presented in this fiscal note. If additional information is received, Oversight will review it to determine if an updated fiscal note should be prepared and seek approval to publish a new fiscal note.

Officials from the **Office of the State Public Defender (SPD)** state per the National Public Defense Workload Study, the new charge contemplated by this change to §577.802 would take approximately twenty-two hours of SPD work for reasonably effective representation. If one hundred cases were filed under this section in a fiscal year, representation would result in a need for an additional attorney. Because the number of cases that will be filed under this statute is unknown, the exact additional number of attorneys necessary is unknown. Each case would also result in unknown increased costs in the need for core staff, travel and litigation expenses. However, if the charge was classified as a class D misdemeanor no jail time would be authorized and the cases would not qualify for SPD representation.

Oversight assumes this proposal will not create the number of new cases required to request additional FTE for the SPD 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.

Officials from the **Missouri Office of Prosecution Services (MOPS)** state there is no measurable fiscal impact to MOPS. However, the enactment of a new crime (§577.802.4) creates additional responsibilities for county prosecutors and the circuit attorney which may in turn result in additional costs which are difficult to determine.

Oversight notes the provisions of §577.802.4 provide that the unlawful use of unmanned aircraft over a crime scene, critical incident, law enforcement tactical operation, or a hazardous material site shall be a class A misdemeanor. Class A misdemeanors carry a penalty of \$2,000 for each offense in addition to any individual county/municipal fees and court costs. The fine revenue for the offense goes to local school funds and court costs go to various state and local funds. Oversight assumes there will be some (less than \$250,000) amount of fine revenue from violations of the statute. Therefore, the impact to various state funds and local governments will be presented as less than \$250,000. For simplicity, Oversight will not reflect the possibility that fine revenue paid to school districts may act as a subtraction in the foundation formula.

Below are examples of some of the state and local funds which court costs are distributed:

Fee/Fund Name	Fee Amount
Basic Civil Legal Services Fund	\$8.00
Clerk Fee	\$15.00 (\$12 State/\$3 County)
County Fee	\$25.00
State Court Automation Fund	\$7.00
Crime Victims' Compensation Fund	\$7.50
DNA Profiling Analysis Fund	\$15.00
Peace Officer Standards and Training (POST) Fund	\$1.00
Motorcycle Safety Trust Fund	\$1.00
Brain Injury Fund	\$2.00
Independent Living Center Fund	\$1.00
Sheriff's Fee	\$10.00 (County)
Prosecuting Attorney and Circuit Attorney Training Fund	\$4.00
Prosecuting Attorney Training Fund	\$1.00 (\$0.50 State/\$0.50 County)
Spinal Cord Injury Fund	\$2.00

Officials from the **Office of Attorney General (AGO)** assume any potential litigation costs arising from this proposal can be absorbed with existing resources. The AGO may seek additional appropriations if the proposal results in a significant increase in litigation or investigation costs.

Officials from the **Department of Commerce and Insurance**, the **Department of Natural Resources**, the **Department of Public Safety (DPS)**, **Divisions of: Capitol Police**, **Missouri Highway Patrol** and **State Emergency Management Agency**, the **Department of Social Services**, the **Missouri Department of Conservation**, the **Missouri National Guard**, the **Phelps County Sheriff**, the **Branson Police Department**, the **Kansas City Police Department**, the **St. Louis County Police Department**, the **Metropolitan St. Louis Sewer District**, the **Morgan County Water Supply District #2**, the **Osceola Water/Wastewater District**, the

South River Drainage District, the **St. Charles County Public Water Supply District #2** and the **Wayne County Public Water Supply District #2** 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 local law enforcement agencies, fire protection districts, ambulance & EMS, utilities, electric companies and coops and solid waste management 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 2026 (10 Mo.)	FY 2027	FY 2028
GENERAL REVENUE FUND			
<u>Costs</u> – OSCA (§577.802) – potential increase in court costs	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
ESTIMTED NET EFFECT ON THE GENERAL REVENUE FUND	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>
VARIOUS STATE FUNDS			
<u>Revenue</u> – (§577.802.4) Court costs p. 4	Less than \$250,000	Less than \$250,000	Less than \$250,000
ESTIMATED NET EFFECT ON VARIOUS STATE FUNDS	<u>Less than \$250,000</u>	<u>Less than \$250,000</u>	<u>Less than \$250,000</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
LOCAL POLITICAL SUBDIVISIONS			
<u>Revenue</u> – (§577.802.4) Court costs p. 4	Less than \$250,000	Less than \$250,000	Less than \$250,000
<u>Revenue</u> – Schools (§577.802.4) Fine revenue p. 4	<u>Less than</u> <u>\$250,000</u>	<u>Less than</u> <u>\$250,000</u>	<u>Less than</u> <u>\$250,000</u>
ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	<u>Less than</u> <u>\$250,000</u>	<u>Less than</u> <u>\$250,000</u>	<u>Less than</u> <u>\$250,000</u>

FISCAL IMPACT – Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

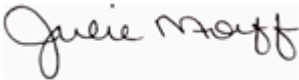
This bill creates the offense of unlawful use of an unmanned aircraft over a crime scene, critical incident, law enforcement tactical operation, or hazardous material site, which is a class A misdemeanor and which a person commits if he or she operates an unmanned aircraft within a certain distance from a crime scene, critical incident, law enforcement tactical operation, or hazardous material site or allows an unmanned aircraft to make contact with this type of location. The bill provides exceptions to the offense

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

Attorney General's Office
Department of Commerce and Insurance
Department of Natural Resources
Department of Public Safety –
 Capitol Police
 Missouri Highway Patrol
 State Emergency Management Agency
Department of Social Services
Missouri Department of Conservation

Office of the State Public Defender
Missouri National Guard
Phelps County Sheriff
Branson Police Department
Kansas City Police Department
St. Louis County Police Department
Metropolitan St. Louis Sewer District
Morgan County Water Supply District #2
Osceola Water/Wastewater District
South River Drainage District
St. Charles County Public Water Supply District #2
Wayne County Public Water Supply District #2
Missouri Office of Prosecution Services
Office of the State Courts Administrator



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March 2, 2025



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March 2, 2025