

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 2628H.01I  
Bill No.: HB 1190  
Subject: Employees - Employers; Fire Protection; Labor and Management  
Type: Original  
Date: March 17, 2025

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

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: () indicate costs or losses.

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

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

☐ 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.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>
<b>Local Government</b>	<b>\$0 to (Unknown)</b>	<b>\$0 to (Unknown)</b>	<b>\$0 to (Unknown)</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Office of Administration**, the **Department of Public Safety – Fire Safety**, and the **Department of Public Safety – Director’s Office** each assume 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 agencies.

In response to the similar/identical proposal, HB 155 – 2025, officials from the **Attorney General’s Office**, the **Department of Commerce and Insurance**, the **Department of Public Safety – Highway Patrol**, and the **Department of Public Safety – Capital Police** each assumed 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 for above agencies.

Officials from the **Northwest Missouri State University** and the **University of Central Missouri** both assume 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 agencies.

Officials from the **City of Kansas City** assume the proposed legislation could have a negative fiscal impact on the City of Kansas City and Missouri Police Department in an indeterminate amount because it subjects Kansas City to increased litigation costs and thereby the costs of litigation.

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

KCFD 2021 Annual report – p. 18

	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 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 reflect an unknown direct impact to the local political governments beginning FY 2026.

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT –Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
<b>LOCAL POLITICAL SUBDIVISIONS</b>			
Cost – 320.500 – 320.528 – increased litigation	<u>\$0 to</u> <u>(Unknown)</u>	<u>\$0 to</u> <u>(Unknown)</u>	<u>\$0 to</u> <u>(Unknown)</u>
<b>ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS</b>	<u>\$0 to</u> <u>(Unknown)</u>	<u>\$0 to</u> <u>(Unknown)</u>	<u>\$0 to</u> <u>(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". The bill defines a "firefighter" to include a firefighter, paramedic, emergency medical technician, and emergency 911 dispatcher employed by a public agency, but it does not include an employee who has not successfully completed his or her probationary period established by an employer as a condition of employment.

Provisions in this bill include, but are not limited to, that it:

(1) Specifies that, except when on duty or in uniform, no firefighter will be prohibited from engaging, or be coerced or required to engage, in political activity;

(2) Specifies that firefighters will not be prohibited from seeking election to the governing board of a school district or any local agency where the firefighter is not currently employed;

(3) Creates several provisions for how interrogations must be conducted when any firefighter is under investigation by his or her commanding officer or any other member designated by the employing department or licensing or certifying agency, each of which is specified in the bill;

(4) Creates provisions for the reopening of an investigation against a firefighter, provided that the specified conditions are met; and

(5) Prohibits anyone from searching any firefighter's locker or other assigned storage space owned or leased by the employer, except in the firefighter's presence and with his or her consent, or unless a valid search warrant has been obtained, or unless he or she have been notified that a search will be conducted.

It is unlawful for any employing department or licensing or certifying agency to deny or refuse to any firefighter the rights and protections associated with this bill. The circuit court of the county of proper venue possesses initial jurisdiction over any proceeding brought by any firefighter against any employing department or licensing or certifying agency for violations of the these provisions. If the court finds a violation has occurred, it must render appropriate extraordinary or injunctive relief to remedy the violation and prevent future occurrences of a similar nature. If the court finds that a bad faith or frivolous action or filing has been brought for an improper purpose, the court may order sanctions against the filing party, their attorney, or both.

In addition to the aforementioned extraordinary relief afforded by the provisions of this bill, upon a court's finding that a fire department, its employees, agents, or assigns, have maliciously violated any provisions mentioned within the bill with the intent to injure the firefighter, the fire department will be, for each violation, liable for a civil penalty up to \$25,000, to be awarded to the firefighter whose right or protection was denied, and for reasonable attorney's fees as may be so determined by the court. If there is sufficient evidence that actual damages occurred against the firefighter in question, the department will also be liable for the amount of the actual damages.

A fire department will not be required to indemnify a contractor for their liability under this provision if, within the contract between the department and the contractor, a hold harmless or similar provision protecting the fire department from liability for actions of the contractor.

Nothing throughout this bill can be construed, in any way, to limit the ability of any employment department, licensing or certifying agency, or any firefighter to fulfill mutual aid agreements with other jurisdictions or agencies, and the provisions of this bill cannot be construed in any way to limit any kind of jurisdictional or inter-agency cooperation under any circumstances where that activity is deemed necessary or desirable by those jurisdictions or agencies so involved.

All rights and protections expressed in the provisions of this bill will only apply to firefighters in events and circumstances in which they are performing their official duties.

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 Public Safety – Fire Safety  
Department of Public Safety – Director's Office  
Department of Public Safety – Highway Patrol  
Department of Public Safety – Capital Police  
Office of Administration  
Department of Commerce and Insurance  
City of Kansas City  
Northwest Missouri State University  
University of Central Missouri



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