

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1857-01
Bill No.: SB 461
Subject: State Attorney General; Federal – State Relations; Law Enforcement Officers and Agencies
Type: Original
Date: March 13, 2007

Bill Summary: The proposal provides for state enforcement of federal immigration laws.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
General Revenue	(\$80,117)	(\$89,105)	(\$91,776)
Total Estimated Net Effect on General Revenue Fund	(\$80,117)	(\$89,105)	(\$91,776)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
General Revenue	1	1	1
Total Estimated Net Effect on FTE	1	1	1

Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Revenue, Department of Public Safety – Division of Alcohol and Tobacco Control, – Capitol Police, – Division of Fire Safety, – Director’s Office,** and the **Boone County Sheriff’s Department** assume the proposal would have no fiscal impact on their agencies.

Officials from the **Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on the courts.

Officials from the **Office of the Attorney General (AGO)** assume they would require 1 FTE Assistant Attorney General III (at \$50,000 per year) for coordinating an Memorandum of Understanding with the US Department of Homeland Security and to coordinate for law enforcement who agree to operate under the Memorandum of Understanding. The attorney conducting the training will need to travel extensively to conduct the necessary training. AGO assumes the total cost to be approximately \$80,000 in FY 08 and \$90,000 in subsequent years.

Officials from the **Department of Public Safety – Missouri State Highway Patrol (MSHP)** state the Training Division does not have any qualified instructors to teach federal immigration laws. MSHP assumes they would host the training and provide classroom space, as well as lodging and meals. MSHP estimates the cost to be \$55 per day. The proposed legislation does not specify the amount of training that would be required or who would provide the training. Therefore, it is not possible to determine the actual fiscal impact. In addition, this legislation provides for reimbursement from the federal government for costs incurred during the required training. MSHP assumes an unknown cost per fiscal year.

Oversight assumes the Missouri State Highway Patrol would incur no fiscal impact because the US Department of Homeland Security and/or the US Department of State would reimburse the costs that the state and political subdivisions incur during the training.

ASSUMPTION (continued)

Officials from the **Office of the Secretary of State (SOS)** assume 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 proposal for Administrative Rules is less than \$2,500. The SOS recognizes this is a small amount and does not expect additional funding would be required to meet these costs. However, SOS also recognizes that many such bills may be passed in a given year and that collectively the costs may be in excess of what the SOS can sustain with their core budget. Any additional required funding would be handled through the budget process.

Officials from the **Springfield Police Department** assume they would incur costs associated with the loss of services of employees who are required to acquire training per the proposal. Officials estimate the costs to be \$25,000 in overtime that will be required to replace those in training.

Oversight assumes the US Department of Homeland Security and/or the US Department of State would reimburse the costs that the state and political subdivisions incur during the training. Therefore, Oversight assumes no cost to local law enforcement agencies.

Officials from the Greene County Sheriff's Department, Jackson County Sheriff's Department, St. Louis County Police Department, Columbia Police Department, Kansas City Police Department, and the St. Louis Metropolitan Police Department did not respond to Oversight's request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2008 (10 Mo.)	FY 2009	FY 2010
GENERAL REVENUE FUND			
<u>Costs – Office of the Attorney General</u>			
Personal Service	(\$42,917)	(\$53,045)	(\$54,636)
Fringe Benefits	(\$19,424)	(\$24,008)	(\$24,728)
Equipment and Expense	<u>(\$17,776)</u>	<u>(\$12,052)</u>	<u>(\$12,412)</u>
<u>Total Costs – AGO</u>	<u>(\$80,117)</u>	<u>(\$89,105)</u>	<u>(\$91,776)</u>
FTE Change – AGO	1 FTE	1 FTE	1 FTE
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>(\$80,117)</u>	<u>(\$89,105)</u>	<u>(\$91,776)</u>
Estimated Net FTE Change for General Revenue Fund	1 FTE	1 FTE	1 FTE
<u>FISCAL IMPACT - Local Government</u>	FY 2008 (10 Mo.)	FY 2009	FY 2010
	<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

The proposed legislation requires the Attorney General to pursue an agreement with the federal government to train Missouri law enforcement to enforce federal immigration laws including the apprehension, detention, and investigation of illegal aliens.

Law enforcement officers shall carry out their immigration enforcement duties within their usual scope of employment. The Attorney General shall also pursue an agreement to establish a system whereby the federal government shall reimburse local law enforcement organizations the costs incurred during the training and any subsequent arrest, incarceration, or detainment of illegal aliens.

FISCAL DESCRIPTION (continued)

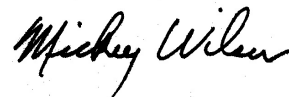
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the Attorney General
Office of State Courts Administrator
Department of Revenue
Department of Public Safety
 – Missouri State Highway Patrol
 – Division of Alcohol and Tobacco Control
 – Capitol Police
 – Division of Fire Safety
 – Director's Office
Office of the Secretary of State
Boone County Sheriff's Department
Springfield Police Department

NOT RESPONDING

Greene County Sheriff's Department
Jackson County Sheriff's Department
St. Louis County Police Department
Columbia Police Department
Kansas City Police Department
St. Louis Metropolitan Police Department



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Director
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