

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0356-06
Bill No.: Truly Agreed To and Finally Passed SS #2 for SCS for HB 103
Subject: Public Safety Department; Law Enforcement Officers and Agencies
Type: Original
Date: May 28, 2009

Bill Summary: This proposal modifies provisions relating to public safety.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
General Revenue*	\$0	\$0 or Unknown	\$0 or Unknown
Total Estimated Net Effect on General Revenue Fund	\$0	\$0 or Unknown	\$0 or Unknown

* Potential offsetting income and expenses.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
State School Moneys	\$0	\$0	\$0
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 8 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on FTE	0	0	0

- 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 2010	FY 2011	FY 2012
Local Government	\$0 or Unknown	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Governor's Office**, the **Department of Higher Education**, the **Department of Conservation** and the **Department of Transportation** each assumed the proposal would not fiscally impact their respective agencies.

In response to a previous version of this proposal, officials from the **Department of Public Safety - Director's** stated that any costs associated with this proposal can be absorbed with existing resources. Also, officials from the **Missouri Highway Patrol Office**, **State Emergency Management Agency** and the **Missouri Water Patrol** each assumed the proposal would not fiscally impact their respective agencies.

Officials from the **Department of Public Safety - Division of Fire Safety (DFS)** state the Elevator Safety program is housed within DFS. This legislation allows the Elevator Safety Board to implement rules for the licensing of elevator mechanics and elevator contractors. The requirements and fees for this process has not been discussed with Division staff; therefore, the fiscal impact cannot be quantified at this time. There are approximately 500 elevator mechanics and 50 elevator contractors in Missouri.

Oversight assumes the Division of Fire Safety will be allowed to charge a fee for the licensure of elevator mechanics and elevator contractors sufficient to cover expenses. Oversight will reflect offsetting unknown costs and unknown revenue from changes Section 701.355. The proposal gives the Elevator Safety Board the power to license mechanics and contractors; therefore since the power rests with the board to have the licensure or not, Oversight will range the potential costs and revenue from \$0 (board does not utilize the power) to an unknown amount of costs/revenue.

Officials from the **Office of Secretary of State (SOS)** state 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 fiscal note to the SOS for Administrative Rules is less than \$2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with the core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the

ASSUMPTION (continued)

finally approved bills signed by the governor.

Officials from the **University of Missouri** and **Missouri Western State University** each assumed the proposal would not create a fiscal impact.

Officials from **Missouri Southern State University** assume the proposal would create a minimal fiscal impact.

Officials from the **Clark County Sheriff's Office**, **Columbia Police Department**, and the **Kansas City Police Department** did not respond to our request for fiscal impact.

In response to a similar proposal from this year (HB 657) that required the posting of '911' addresses on docks (section 306.903), officials from the **Department of Natural Resources** stated their Division of State Parks may be required to post signs at some docks; however, the fiscal impact would be minimal.

Oversight assumes the changes within Section 306.903 could generate some addition fine revenue from the infraction of failing to display identifying information on a boat dock. Oversight will reflect this as a potential unknown amount of income to the local school districts and then a corresponding reduction in state funding to the schools in the following year. Oversight will assume the income and reduction of school districts will net to zero after the first year.

This proposal could increase Total State Revenues.

<u>FISCAL IMPACT - State Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
GENERAL REVENUE			
<u>Savings</u> - potential reduction in school funding required as a result of additional fine revenue paid to local school districts because from Section 306.903	\$0	\$0 to Unknown	\$0 to Unknown
<u>Revenue</u> - potential income to cover the costs of licensure of elevator mechanics and elevator contractors (Section 701.355)	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
<u>Costs</u> - potential costs to be borne by the Division of Fire Safety for the licensure of elevator mechanics and elevator contractors (Section 701.355)	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>
ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND	<u>\$0</u>	<u>\$0 to Unknown</u>	<u>\$0 to Unknown</u>
 STATE SCHOOL MONEYS			
<u>Savings</u> - reduced payments to local school districts (Section 306.903)	\$0	\$0 to Unknown	\$0 to Unknown
<u>Loss</u> - potential reduction in funding from the General Revenue fund for schools (Section 306.903)	<u>\$0</u>	\$0 to <u>(Unknown)</u>	\$0 to <u>(Unknown)</u>
ESTIMATED NET IMPACT TO THE STATE SCHOOL MONEYS FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
LOCAL SCHOOL DISTRICTS			
<u>Income</u> - potential increase in fine revenue from infraction of failing to display 911 information on a dock (Section 306.903)	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
<u>Loss</u> - reduction in school funding as a result of additional fine revenue collected in the prior year (Section 306.903)	<u>\$0</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
ESTIMATED NET EFFECT TO LOCAL SCHOOL DISTRICTS	<u>\$0 or Unknown</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

This bill changes the laws regarding public safety. In its main provisions, the bill:

- (1) Allows the executive officer of any public safety agency to enter into a mutual-aid agreement for reciprocal emergency aid with other public and private agencies and specifies that the Department of Public Safety will administer the Missouri mutual-aid system;
- (2) Specifies that any employee of a political subdivision or public safety agency responding to an emergency, disaster, or public safety need that is not declared by the Governor as an emergency is subject to the liability and workers' compensation provisions provided to him or her as an employee of the subdivision or agency;

FISCAL DESCRIPTION (continued)

- (3) Requires certain homebuilders to offer to any purchaser the option to install or equip his or her dwelling or residence with a fire sprinkler system at the purchaser's cost;
- (4) Specifies that state college and university police officers may respond to emergencies or natural disasters outside of the boundaries of the university's property if requested by the law enforcement agency with jurisdiction;
- (5) Establishes the Public Access to Automated External Defibrillator Act which grants immunity for civil damages to any person who gratuitously and in good faith renders medically appropriate emergency care using an automated external defibrillator unless the person acts in a willful and wanton or reckless manner in providing the care, advice, or assistance. The person or entity that owns the defibrillator and the person or entity that provided the clinical protocol for an automated external defibrillator site or program cannot be held liable for civil damages resulting from the use of the defibrillator;
- (6) Requires a person owning a boat dock on a lake with at least 950 miles of shoreline or on a lake constructed or maintained by the United States Army Corps of Engineers with certain specified exceptions to display the appropriate 911 street address nearest to the dock by land beginning January 1, 2010. The bill specifies how and where the address must be displayed. A person who fails to display the identifying information may be guilty of an infraction with a penalty not to exceed \$25; and
- (7) Authorizes the Elevator Safety Board within the Department of Insurance, Financial Institutions and Professional Registration to adopt a code of rules and regulations governing the licenses of elevator mechanics and elevator contractors.

The provisions of the bill regarding fire sprinkler systems will expire December 31, 2011.

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

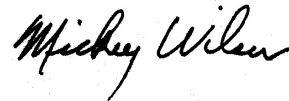
Department of Public Safety
Office of the Secretary of State
Office of the Governor
Department of Transportation

RS:LR:OD (12/02)

SOURCES OF INFORMATION (continued)

Department of Conservation
Department of Natural Resources
University of Missouri
Missouri Western State University
Missouri Southern State University

NOT RESPONDING:
Clark County Sheriff's Office
Columbia Police Department
Kansas City Police Department



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Director
May 28, 2009