

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1405-04
Bill No.: SCS for HCS for HB 580
Subject: Emergencies, Firearms and Fireworks, Workers Compensation
Type: Original
Date: May 4, 2009

Bill Summary: This proposal establishes the Line of Duty Compensation Act which authorizes a claim to be filed with the Division of Workers' Compensation on behalf of public safety workers who are killed in the line of duty.

FISCAL SUMMARY

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

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Line of Duty Compensation Fund	(Unknown greater than \$75,000)	(Unknown greater than \$75,000)	(Unknown greater than \$75,000)
Total Estimated Net Effect on <u>Other</u> State Funds	(Unknown greater than \$75,000)	(Unknown greater than \$75,000)	(Unknown greater than \$75,000)

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 7 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	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials at the **Department of Labor and Industrial Relations, Department of Corrections, Department of Public Safety' Director's Office, Fire Safety, Capitol Police, Creve Coeur Fire District, Missouri Department of Conservation, Office of the State Treasurer, Department of Health and Senior Services, City of Kansas City, Office of the Attorney General** and the **Office of the State Courts Administrator** assume that there is no fiscal impact from this proposal.

Officials at the **Department of Labor and Industrial Relations** did a search of the Division's computer system which showed that over the three year period 2006 to 2008 there was an average of 2 deaths of the occupations firefighter and volunteer firefighter. Additionally, there was 1 death of the occupation nurse. The Division was unable to determine through its injury and fatality coding system whether any deaths for the occupations air ambulance pilots or air ambulance nurses occurred in the line of duty as defined in the bill. This number also does not include any deaths where the occupation may have been coded in error when reported to the Division, but that may be eligible for the benefit provided for in the bill.

Oversight assumes that during the three year period reviewed 3 people could have filed a claim under this proposal. Oversight assumes that the actual number of people killed during that time was likely greater. Oversight has shown in this fiscal note that the amount paid out yearly from the Line of Duty Compensation Fund would be "unknown greater \$75,000".

Officials at the **Missouri Highway Patrol** assume the first trooper who died in the line of duty was in 1933. To date, there have been 28 total, 9 of those occurring since 1999. Something like this is impossible to predict, but if the Patrol were to take the average of the past 9 years, there has been approximately one trooper per year who died in the line of duty. Based solely on that average, the cost of this legislation would have been approximately \$25,000 per year. For purposes of this fiscal note, that would be our estimate for future years as well.

Officials at the **Department of Natural Resources** assume they have 48 full-time rangers and 2 commissioned facility managers who could be affected by this proposal. The fiscal impact would be unknown, as this would depend on the number of law enforcement killed in the line of duty. The Division's maximum potential liability would be \$1,250,000 as a result in any given year.

Officials at the **City of West Plains** assume a negative fiscal impact on the city.

ASSUMPTION (continued)

Officials at the **City of Centralia** assume a minor increase in workers compensation insurance of less than \$100 year.

Officials at the **St. Louis County** assume workers compensation rates will be impacted at less than \$1,000.

Officials at the **DeSoto Rural Fire Protection District** assume no savings to the District unless they elect to limit any life benefit currently received.

Officials from the **Office of the 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 finally approved bills signed by the governor.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process.

<u>FISCAL IMPACT - State Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
LINE OF DUTY COMPENSATION FUND			
<u>Cost - General Revenue</u>			
Death Benefit	<u>(Unknown greater than \$75,000)</u>	<u>(Unknown greater than \$75,000)</u>	<u>(Unknown greater than \$75,000)</u>
ESTIMATED NET EFFECT ON LINE OF DUTY COMPENSATION FUND	<u>(Unknown greater than \$75,000)</u>	<u>(Unknown greater than \$75,000)</u>	<u>(Unknown greater than \$75,000)</u>
 <u>FISCAL IMPACT - Local Government</u>	 FY 2010 (10 Mo.)	 FY 2011	 FY 2012
	<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

This bill establishes the Line of Duty Compensation Act which allows a claim to be filed with the Division of Workers' Compensation within the Department of Labor and Industrial Relations on behalf of a law enforcement officer, emergency medical technician, paramedic, air ambulance pilot and nurses or firefighter who was killed in the line of duty. The claim must be filed no later than one year from the date of the death by the spouse, dependent, or other specified person. The amount of compensation for the claim will be \$25,000, subject to appropriations.

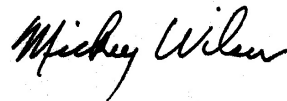
The provisions of the bill will expire six years from the effective date. This bill contains an emergency clause.

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

Department of Labor and Industrial Relations
Department of Corrections
City of West Plains
Department of Public Safety
 Director's Office
 Fire Safety
 Capitol Police
Creve Coeur Fire District
City of Centralia
Office of the State Courts Administrator
DeSoto Rural Fire Protection District
Department of Natural Resources
Missouri Department of Conservation
Office of the State Treasurer
Department of Health and Senior Services
St. Louis County
Missouri Highway Patrol
City of Kansas City
Office of the Attorney General



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