

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1550-01
Bill No.: SB 332
Subject: Emergencies, Fire Protection, Law Enforcement Officers and Agencies, Medical Procedures and Personnel, Workers Compensation
Type: Original
Date: February 23, 2009

Bill Summary: This proposal provides additional workers' compensation benefits for public safety workers 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	(\$130,000)	(Unknown greater than \$150,000)	(Unknown greater than \$150,000)
Total Estimated Net Effect on <u>Other</u> State Funds	(\$130,000)	(Unknown greater than \$150,000)	(Unknown greater than \$150,000)

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 6 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 Corrections, Fire Safety, Capitol Police, Creve Coeur Fire District, Missouri Department of Conservation, Department of Health and Senior Services, Cass County, 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.

In response to similar legislation filed this year HB 580, the **Department of Labor and Industrial Relations, Department of Public Safety' Director's Office** and the **Office of the State Treasurer** stated that there was no fiscal impact from this proposal.

In previous sessions officials at the **Department of Labor and Industrial Relations** did a search of the Division's computer system which showed that over the four year period 2003 to 2006 there was an average of 15 deaths of the occupations Emergency Medical Technician, Firefighter, Law enforcement officer, Paramedic, Volunteer firefighter and correctional officer. The Division was unable to determine through its injury and fatality coding system whether any deaths for the occupations supervisors, wardens, superintendents, youth supervisors, parole agents, school teachers and correctional counselors 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 four year period reviewed 15 people could have filed a claim under this proposal. Oversight assumes that the actual number of people killed during that time was likely greater. The benefits would be paid for deaths after August 28, 2009. Oversight has shown in this fiscal note that the amount paid out yearly from the Line of Duty Compensation Fund would be "unknown greater than \$150,000."

Oversight assumes the benefits of \$10,000 will be effective August 28, 2009, and therefore will assume 13 deaths (15 x 10/12) in FY 2010.

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 \$10,000 per year. For purposes of this fiscal note, that would be our estimate for future years as well.

ASSUMPTION (continued)

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 \$500,000 as a result in any given year.

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.

In response to similar legislation filed this year HB 580, officials at the **City of West Plains** assume a negative fiscal impact on the city.

In response to similar legislation filed this year HB 580, officials at the **DeSoto Rural Fire Protection District** assume no savings to the District unless they elect to limit any life benefit currently received.

<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>(\$130,000)</u>	<u>(Unknown greater than \$150,000)</u>	<u>(Unknown greater than \$150,000)</u>
ESTIMATED NET EFFECT ON LINE OF DUTY COMPENSATION FUND	<u>(\$130,000)</u>	<u>(Unknown greater than \$150,000)</u>	<u>(Unknown greater than \$150,000)</u>

FISCAL IMPACT - Local Government

FY 2010
(10 Mo.)

FY 2011

FY 2012

\$0

\$0

\$0

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

This act creates the "Line of Duty Compensation Act" which provides additional workers' compensation benefits in the amount of \$10,000 for firefighters, law enforcement officers, emergency medical technicians, and paramedics who are killed in the line of duty.

Coverage applies when:

- Death is caused by an accident or violence of another;
- The individual is in the active performance of his or her duties and there is a relationship between the accident or commission of the act and the performance of duty, even when off duty; the individual is traveling to or from employment; or the individual is taking a break while on duty;
- The injury is the cause of the death; and
- Death occurs within 300 weeks of the injury.

A \$10,000 death benefit shall be awarded to the surviving spouse, dependent, or estates of those killed in the line of duty.

Under the act, neither employers nor workers' compensation insurers shall have subrogation rights against compensation awarded for claims under the proposed program.

This program shall sunset in 6 years unless re-authorized.

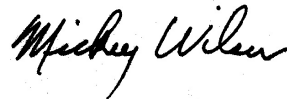
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Corrections
City of West Plains
Department of Public Safety
 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
Department of Health and Senior Services
St. Louis County
Missouri Highway Patrol
Office of the Attorney General
City of Kansas City
Cass County

Not Responding

Department of Labor and Industrial Relations
Department of Public Safety Director's Office
Office of the State Treasurer

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Director
February 23, 2009