

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0773-01
Bill No.: Perfected HB 152
Subject: Education, Elementary and Secondary; Law Enforcement Officers and Agencies;
Boards, Commissions, Committees, Councils
Type: Original
Date: April 2, 2013

Bill Summary: This proposal allows school districts to authorize and commission school officers to enforce laws relating to crimes committed on school grounds, at school activities, and on school buses.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

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

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
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 2014	FY 2015	FY 2016
Local Government	(Unknown - Could exceed \$100,000)	(Unknown - Could exceed \$100,000)	(Unknown - Could exceed \$100,000)

FISCAL ANALYSIS

ASSUMPTION

§162.215 - Authorization and commission of school officers

Officials from the **Department of Elementary and Secondary Education (DESE)** state this proposal will have no fiscal impact on their agency or on school districts.

Officials from the **Department of Public Safety - Missouri State Highway Patrol, Parkway School District, Springfield Police Department, Jefferson City Police Department,** and the **Boone County Sheriff's Department** each assume the proposal would not fiscally impact their respective agencies.

Section 1 - School Resource Officer Training (House Amendment 1)

In response to Perfected SB 211, officials from DESE assumed that resource officers are typically sheriff's deputies or police officers, but the school would pay them directly or contract through the law enforcement office to pay them for the training required in this proposal.

Also in response to Perfected SB 211, officials from the **Boone County Sheriff's Department (BCSD)** assumed that unless grand-fathered by their years of experience and attendance at numerous prior SRO Conferences, BCSD will experience costs by having to send their four school resource officers to the 40 hour basic SRO training. These costs will include, at a minimum, tuition for the training. If the training is held outside of reasonable driving distance from Boone County, additional costs could include hotels and meals. Forty hours of training routinely costs \$600 to \$800 per person, not including meals/lodging. BCSD could then experience costs of up to \$3,200 in tuition costs. If meals and lodging are required, that figure could increase by another \$1,500.

Oversight assumes that the costs for training school resource officers would be borne by school districts, law enforcement agencies, or a combination of both. Oversight assumes costs could exceed \$100,000 for initial training and for training of new school resource officers.

§§160.261 & 210.115 - Laws regarding child abuse and neglect (House Amendment 2)

In response to HCS for HB 505, officials from the **Department of Social Services (DSS) - Division of Research and Evaluation** stated this proposal removes language in §160.261, starting at subsection 10 to subsection 22. These are provisions in current statute that prohibit

ASSUMPTION (continued)

the Children's Division (CD) from having jurisdiction to investigate reports of alleged child abuse arising out of or related to the use of reasonable force to protect persons or property when administered by personnel of a school district or any spanking administered in a reasonable manner by any certificated school personnel in the presence of a witness who is an employee of the school district as long as no allegation of sexual misconduct arises from the spanking or use of force.

From calendar years 2008 to 2012, the CD averaged 71 reports a year in which the finding was entered as a result of an investigation by a school board. This proposal would require the CD to conduct at least 71 additional investigations per year. Investigators can do 12 hotlines a month and 144 per year. Although there would be a slight increase in investigations as a result of this legislation, the fiscal impact could be absorbed by current staff.

This proposal requires that individuals mandated to report suspicions of child abuse or neglect under §210.115.1, must make their report to the CD immediately, removing the option "or cause a report to be made...". In §210.115.2, this proposal removes the requirement of the mandated reporter to report the suspicion to the person in charge or designee of the medical institution, school facility or public or private agency the person is working for. This proposal also adds the exception that when two or more persons required to report under §210.115.1, both have knowledge of the abuse, they can make a single report as a team member, but requires that if either team member is aware that a report has not been made the person is required to report. This proposal prohibits a supervisor or administrator from impeding or inhibiting the person required to report from reporting and prohibits any sanction against the reporter for not reporting. This proposal also allows the development of internal procedures to facilitate reporting and apprising supervisors or administrators as long as it does not conflict with the provisions in this section.

The CD does not anticipate a fiscal or programmatic impact as a result of this proposal.

In response to HCS for HB 505, officials from the **Department of Elementary and Secondary Education (DESE)** stated there is no anticipated state cost to the foundation formula associated with this proposal. To the extent fine revenues exceed 2004-2005 collections, any increase in this money distributed to school districts increases the deduction in the foundation formula the following year. Therefore, the affected districts will see an equal decrease in the amount of funding received through the formula the following year unless the affected districts are hold-harmless, in which case the districts will not see a decrease in the amount of funding received through the formula (any increase in fine money distributed to the hold-harmless districts will simply be additional money). An increase in the deduction (all other factors remaining constant)

ASSUMPTION (continued)

reduces the cost to the state of funding the formula.

Oversight assumes any increase or decrease in fine or penalty revenues generated cannot be determined. Therefore, the fiscal note does not reflect any fine or penalty revenues for the local school districts.

Also in response to HCS for HB 505, officials from the **Office of State Courts Administrator**, the **Department of Mental Health**, the **Department of Natural Resources**, the **Department of Health and Senior Services**, the **Department of Public Safety - Missouri State Highway Patrol**, the **Missouri Department of Conservation**, the **Parkway School District**, and the **Jefferson City Police Department** each assume the proposal would not fiscally impact their respective agencies.

In response to HB 505, officials from **Barton County Memorial Hospital**, the **Boone County Sheriff's Department**, and the **University of Missouri** each assumed the proposal would not fiscally impact their respective agencies.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
LOCAL POLITICAL SUBDIVISIONS			
<u>Costs</u> - School Districts and/or Local Law Enforcement - School resource officer training (Section 1)	(Unknown - Could exceed <u>\$100,000</u>)	(Unknown - Could exceed <u>\$100,000</u>)	(Unknown - Could exceed <u>\$100,000</u>)
ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	(Unknown - Could exceed <u>\$100,000</u>)	(Unknown - Could exceed <u>\$100,000</u>)	(Unknown - Could exceed <u>\$100,000</u>)

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

§162.215 - Authorization and commission of school officers

Currently, the school district of Blue Springs is authorized to commission school law enforcement officers to enforce laws relating to crimes committed on school premises, at school activities, and on school buses through a memorandum of understanding with each law enforcement agency with enforcement jurisdiction over the school district's premises and location of school activities. This bill allows any school district to commission peace officers for these purposes.

Section 1 - School Resource Officer Training (House Amendment 1)

The Missouri state training center for the D.A.R.E. program shall develop the curriculum and certification requirements for school resource officers. At a minimum, school resource officers must complete forty hours of basic school resource officer training to include legal operation within an educational environment, intruder training and planning, juvenile law, and any other relevant topics relating to the job and functions of a school resource officer.

§§160.261 & 210.115 - Laws regarding child abuse and neglect (House Amendment 2)

These sections of the proposal change the laws regarding child abuse and neglect.

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 Elementary and Secondary Education
Department of Public Safety
 Missouri State Highway Patrol
Department of Social Services
 Division of Research and Evaluation
Office of State Courts Administrator
Department of Mental Health
Department of Natural Resources
Department of Health and Senior Services
Missouri Department of Conservation
University of Missouri
Barton County Hospital
School Districts
 Parkway
Local Law Enforcement
 Springfield Police Department
 Jefferson City Police Department
 Boone County Sheriff's Department



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