

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0860-07  
Bill No.: Truly Agreed To and Finally Passed CCS for SCS for SB 224  
Subject: Cities, Towns, and Villages; Law Enforcement Officers and Agencies  
Type: Original  
Date: June 4, 2013

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

**FISCAL SUMMARY**

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

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

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 9 pages.

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

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

- 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).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>
<b>Local Government</b>	<b>\$0 or ( Unknown)</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>

## FISCAL ANALYSIS

### ASSUMPTION

#### §§ 84.480, 84.490, and 84.510 - Salaries Paid to Members of the Kansas City Police Department and Review of the Kansas City Police Chief:

**Oversight** assumes this provision changes the following annual salary ranges for the members of the Kansas City Police Department:

Chief - from \$80,211 to \$172,478; to the new salary range of \$80,211 to \$189,726.  
Lieutenant Colonels - from \$71,969 to \$121,716; to the new salary range of \$71,969 to \$133,888.  
Majors - from \$64,671 to \$111,048; to the new salary range of \$64,671 to \$122,153.  
Captains - from \$59,539 to \$101,304; to the new salary range of \$59,539 to \$111,434.  
Sergeants - from \$48,659 to \$88,260; to the new salary range of \$48,659 to \$97,086.  
Master Patrol Officers - from \$56,304 to \$79,728; to the new salary range of \$56,304 to \$87,701.  
Master Detectives - from \$56,304 to \$79,728; to the new salary range of \$56,304 to \$87,701.  
Detectives, Investigators, and Police Officers - from \$26,643 to \$75,108; to the new salary range of \$26,643 to \$82,619.

**Oversight** notes the Kansas City Police Department (KCPD) has 2,134 positions listed in their FY 2012-13 budget. **Oversight** is unable to determine how many KCPD members are within each personnel category, how many are at the top of their salary range, and whether or not the City of Kansas City would provide raises to the members of the KCPD in future years.

**Oversight** will reflect \$0 to an (Unknown) cost to the City of Kansas City as a direct result of this provision.

ASSUMPTION (continued)

§§ 86.200, 86.257, 86.263 - St. Louis Police Retirement System:

Officials from the **St. Louis Police Retirement System** assumed the proposal reduces non-duty disability vesting requirement from 10 years to 5 years and modifies disability determinations from the Retirement System Board of Trustees and Medical Director to the Board of Police Commissioners or successor body and a Medical Board. The provisions included in this proposal affecting St. Louis Police Retirement System would result in a one time increase to the employer contribution of approximately \$30,000 when the plan increases its funding level from the current 78% to 80%.

In response to similar legislation from 2013 (HB 722), officials from the **Joint Committee on Public Retirement** stated that this legislation would not create a substantial proposed change in future plan benefits as defined in Section 105.660(10).

§ 313.817 - Presenting False ID on a Gambling Boat:

**Oversight** notes this provision creates a Class B misdemeanor for a person under 21 years of age to present false ID to a license or gaming agent in order to enter a gaming boat. If a person engages in this act he or she is subject to a \$500 fine.

Officials from the **Missouri Gaming Commission** assume this provision would not fiscally impact their agency or to the Gaming Fund.

Officials at the **Office of State Public Defender (SPD)** cannot assume that existing staff will provide effective representation for any new cases arising where indigent clients are charged with the proposed new crime of presenting false identification to a licensee or gaming agent, a new class B misdemeanor for subsequent offenses.

SPD assumes while the number of new cases may be too few or uncertain to request additional funding for this specific bill, the SPD will continue to request sufficient appropriations to provide effective representation.

**Oversight** assumes SPD can absorb any costs related to this provision.

ASSUMPTION (continued)

§ 568.040 - Criminal Nonsupport:

In response to a similar proposal from 2013 (HB 220), officials from the **Office of the State Courts Administrator (CTS)** stated the proposal changes the laws regarding arrearages and the expungement of certain records related to criminal nonsupport. During the past five years, there has been an average of 5,234 criminal nonsupport convictions. This provision should not have a significant impact on the judiciary.

Fiscal Year	Number of Guilty Outcomes
2008	4,919
2009	5,133
2010	4,947
2011	4,276
2012	<u>6,894</u>
Average	5,234

Officials at the **Department of Corrections (DOC)** assume DOC's computer system for monitoring inmate records does have the ability to mark records as confidential and to delete them; hard copy records are the concern. If expungement of convictions includes prison records, this would create a significant workload on DOC's record offices within institutions and at the probation and parole offices. There is also a concern for tracking previous medical, mental health, substance abuse and education records.

DOC assumes an unknown fiscal impact per year due to the passage of this provision.

**Oversight** assumes an average of 5,234 guilty outcomes related to criminal nonsupport each year.

**Oversight** assumes the expungement of a record is allowed only when it is a first felony offense of criminal nonsupport and when at least eight years have elapsed since the person requesting expungement has completed his or her imprisonment or period of probation. The person must not have been convicted or placed on probation for a separate felony during this time period, and is current on all child support obligations and has no other criminal charges or administrative child support actions pending at the time, and the person must successfully complete a criminal nonsupport courts program for expungement consideration.

ASSUMPTION (continued)

**Oversight** assumes the limitations on the eligibility of expungement of criminal records for the first felony offense of criminal nonsupport will result in a minimal number of people being granted expungement by the court.

**Oversight** assumes any costs related to this provision could be absorbed by DOC. If DOC experiences a significant workload increase in future years related to processing multiple expungement cases of criminal nonsupport, DOC may request additional funding through the normal appropriation process.

§ 1 - Quasi-Government Entities:

**Oversight** notes this provision requires quasi-government entities who provide information management products and services to criminal justice, municipal and county courts, and other government agencies whose originating agency identifier was terminated by the federal bureau of investigation to provide integration data access at no additional cost. This provision will not result in a net fiscal impact on state or local government funds.

Bill as a Whole:

Officials from the **Office of State Courts Administrator** and **Missouri State Highway Patrol** assume the proposal would not fiscally impact their agency.

Officials from the Office of Prosecution Services did not respond to our request for fiscal impact.

<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
<b>LOCAL POLICE DEPARTMENTS</b>			
<u>Costs - City of St. Louis</u>			
§§ 86.200, 86.257, 86.263 - Increase in Employer Contribution	\$0 or (\$30,000)	\$0 or (\$30,000)	\$0 or (\$30,000)
 <u>Cost - City of Kansas City</u>	 \$0 or	 \$0 or	 \$0 or
§§ 84.480 and 84.510 - Increased KCPD salaries	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
 <b>ESTIMATED NET EFFECT TO LOCAL POLICE DEPARTMENTS</b>	 <b><u>\$0 or (Unknown)</u></b>	 <b><u>\$0 or (Unknown)</u></b>	 <b><u>\$0 or (Unknown)</u></b>

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

§§ 84.480 and 84.510 - Salaries Paid to Members of the Kansas City Police Department:

This proposal increases the maximum salaries that may be paid to the chief of police and officers of the Kansas City Police Department.

§§ 86.200, 86.257, 86.263 - St. Louis Police Retirement System:

Currently, a member of the Police Retirement System of St. Louis who becomes disabled from causes occurring within the performance of duties shall be retired upon certification by the medical director of the Police Retirement System and approved by the board of trustees of the System.

FISCAL DESCRIPTION (continued)

This proposal replaces this certification process by requiring that one or more physicians of the medical board certify that the member is unable to perform the full and unrestricted duties of a police officer. The proposal defines both medical board and full and unrestricted duties of a police officer.

Under current law, a member who is disabled in an incident unrelated to the performance of official duties and who has ten or more years of service shall be retired by the board of trustees of the police retirement system.

The proposal provides that a member with a non-duty disability may retire after five years of creditable service provided that the system's actuarial valuation is at least eighty percent. The act also provides that the retirement application shall be certified by a medical board, rather than the medical director.

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  
Missouri Gaming Commission  
State Public Defender's Office  
Office of State Courts Administrator  
Department of Public Safety -  
Missouri State Highway Patrol  
Joint Committee on Public Employees' Retirement  
St. Louis Police Retirement System  
City of Kansas City

**Not Responding:**

Office of Prosecution Services



Ross Strope



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