

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4627-05
Bill No.: HCS for SS for SB 732
Subject: Emergencies
Type: Original
Date: April 20, 2016

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

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND				
FUND AFFECTED	FY 2017	FY 2018	FY 2019	Fully Implemented (FY 2021)
General Revenue	(Could exceed \$130,042)	(Could exceed \$142,379)	(Could exceed \$143,877)	(Could exceed \$146,241)
Total Estimated Net Effect on General Revenue	(Could exceed \$130,042)	(Could exceed \$142,379)	(Could exceed \$143,877)	(Could exceed \$146,241)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS				
FUND AFFECTED	FY 2017	FY 2018	FY 2019	Fully Implemented (FY 2021)
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses. This fiscal note contains 14 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS				
FUND AFFECTED	FY 2017	FY 2018	FY 2019	Fully Implemented (FY 2021)
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)				
FUND AFFECTED	FY 2017	FY 2018	FY 2019	Fully Implemented (FY 2021)
General Revenue	2 FTE	2 FTE	2 FTE	2 FTE
Total Estimated Net Effect on FTE	2 FTE	2 FTE	2 FTE	2 FTE

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS				
FUND AFFECTED	FY 2017	FY 2018	FY 2019	Fully Implemented (FY 2021)
Local Government	Unknown	Unknown	Unknown	Unknown to (Unknown)

FISCAL ANALYSIS

ASSUMPTION

§§ 43.545, 173.2050, 455.543, 455.545

In response to a similar proposal from this year (Perfectured HB 1930), officials from the **Department of Public Safety - Missouri Highway Patrol, Missouri State University, Northwest Missouri State University,** and the **Springfield Police Department** each assumed the proposal would not fiscally impact their respective agencies.

In response to a previous version of HB 1930 from the **Boone County Sheriff's Office** assumed the proposal would not fiscally impact their agency

In response to a similar proposal from this year (Perfectured HB 1930), officials from the **Department of Higher Education** and the **Department of Public Safety - Director's Office** each stated that costs pertaining to promulgating rules and regulations would be minimal and can be absorbed.

In response to the previous version of the House Committee Substitute of HB 1930, officials from the **Cole County Sheriff's Office** stated this increases their agency UCR reporting by twelve times. This is not grossly expensive, but does take additional time. We already have those relations and agreements with Lincoln University.

In response to a similar proposal from this year (Perfectured HB 1930), officials from the **State Technical College of Missouri** stated the impact would be minimal - only the time it takes to formalize the policy with local law enforcement.

In response to a similar proposal from this year (Perfectured HB 1930), officials from the **University of Central Missouri** assumed no fiscal impact from the proposal other than more time for current staff, since it deals primarily with modifications in reporting of crimes that we already capture data for and deliver to state and federal entities.

In response to a similar proposal from this year (Perfectured HB 1930), officials from the **University of Missouri** stated campuses already do UCR reporting and the financial cost should not increase. It is anticipated that an additional cost of approximately \$1,200 per year per campus would be incurred by the department for reviewing and updating of the Memorandum of Understanding.

ASSUMPTION (continued)

In response to a similar proposal from this year (Perfected HB 1930), officials from the **Office of the Secretary of State (SOS)** stated 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, we also recognize 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 our office can sustain with our core budget. Therefore, we reserve 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.

In response to a similar proposal from this year (Perfected HB 1930), officials from the **Joint Committee on Administrative Rules** state this legislation is not anticipated to cause a fiscal impact beyond its current appropriation.

Officials from the Independence Police Department, the Platte County Sheriff's Office, the St. Charles Police Department, and the St. Louis County Police Department did not respond to **Oversight's** request for fiscal impact.

§§44.010 & 44.032 - Urban Search and Rescue Task Force

In response to a previous version of the proposal, officials from the **Department of Public Safety - State Emergency Management Agency (SEMA)** stated at this time, SEMA has only been able to identify one time that this team was deployed under a state process. To the best of our knowledge this was the building collapse at Clinton in 2006. Since we had little ability to estimate to current standards, we utilized the FEMA PSMA NPS ESF #9 Search and Plan cost requirements. Our estimate is based on the FEMA plan for a 14 day deployment. The cost estimate is for a total of \$145,355, or \$10,382.50 per day to the General Revenue Fund. To develop a specific cost figure per incident would be difficult as it would depend on the type of incident and specific purpose for which the deployment is needed.

ASSUMPTION (continued)

SEMA assumes costs as follows:

Personnel	\$ 78,612
Travel and Per Diem	\$ 54,543
Equipment and Supplies	\$ 7,700
Dispatch	<u>\$ 4,500</u>
TOTAL	\$145,355

SEMA notes that the cost figures stated (\$145,355) only encompass specific costs identified by FEMA for the positions within the recognized organization. The proposal includes reimbursement for any reasonable and necessary expenditures (which we have no visibility on what those expenses may be since FEMA is specific on their cost allowances as to what is eligible and what is not).

Oversight assumes the cost to the state would depend upon a disaster or emergency proclamation by the Governor. If there is such a disaster or emergency, the Governor has the authority to expend funds for urban search and rescue task force. Oversight will range the fiscal impact to the state from \$0 (either no such disaster or emergency that requires the services of the urban search and rescue task force, or the Governor decides not to expend funds for expenses incurred by the task force) to a cost that could exceed \$100,000.

§84.720 - Private Security of Gambling Boats:

Oversight assumes these changes would not create a fiscal impact.

§190.241 & §192.737 - Hospital Emergency Care:

Officials from the **Department of Health and Senior Services (DHSS)** state, based on work with other data systems, DHSS estimates the legislation would require two Research Analysts III positions with an annual salary of \$40,380 each. The duties of the analysts would be to work with the data collection system to evaluate and analyze the data and produce quarterly regional and state outcome data reports.

This will be complex data analysis work. The new staff would have to learn two separate data collection systems, extract data from both systems and then link the data to create a combined file. The combined file would then need to be analyzed in order to produce the required reports which may number as many as 28 annually. The analysts would be responsible for preparing, editing, and producing these reports. The reports must then be shared with the state advisory council on emergency medical services (EMS) and regional EMS committees to review for

ASSUMPTION (continued)

performance improvement and patient safety. Based on experience, DHSS envisions that the data analysts will have to be involved in some capacity with these review teams. The analysts will have to serve as technical experts assisting the facilities that submit data to the systems. Furthermore, once these systems are operational the unit will begin to receive ad hoc data requests based on these files.

The brain and spinal cord injury system collects emergency, inpatient/outpatient and ambulatory surgery center data. DHSS assumes that any analysis of the trauma data for the brain and spinal cord injury program would be conducted by the two research analysts.

This proposed legislation will allow centers to enter into the Time Critical Diagnosis System (TCD) registry or into a nationally recognized registry or data bank (such as the American Heart Association's Get With the Guidelines). As a result of this legislation, DHSS anticipates that more centers will submit data. DHSS is not currently producing any regional or statewide reports.

There are currently 45 designated stroke centers with two pending applications. Since not all centers use the TCD Registry and the legislation would allow them to enter data into a nationally recognized registry or data bank, a big part of the analysts' duties would be to obtain, compile and interpret the data.

In summary, DHSS assumes the need for two FTE Research Analyst IIs (at \$40,380 annually) for a total cost of approximately \$143,000 per year to the General Revenue Fund.

§190.260 - First Informer Broadcasters Act:

In response to a previous version of the bill, officials from the **Department of Public Safety - State Emergency Management Agency** and the **Missouri Highway Patrol** each assumed the proposal would not fiscally impact their agency.

§311.735 - Alcohol and Tobacco Control:

Officials from the **Department of Public Safety (DPS) - Alcohol and Tobacco Control (ATC)** assume the proposal would not create a fiscal impact on their agency.

Oversight notes that the Division of Alcohol and Tobacco Control Fund (0544) was created by Truly Agreed To and Finally Passed SB 373 in the 2015 session. The balance of the fund on March 31, 2016 was \$562,935.

ASSUMPTION (continued)

Oversight also notes that the appropriations for the ATC for FY 2016 (TAFP version of HB 8) and FY 2017 (in the introduced and perfected versions of HB 2008) were:

Fund	FY 2016 TAFP	FY 2017 Introduced	FY 2017 Perfected
General Revenue (0101)	\$843,441	\$0	\$0
Alcohol and Tobacco Control (0544)	\$0	\$858,560	\$1,604,690
Federal Funds (0152)	\$165,552	\$167,594	\$167,594
Healthy Families (0625)	\$145,618	\$147,870	\$147,870
TOTAL	\$1,154,611	\$1,174,024	\$1,920,154
FTE	19 FTE	19 FTE	27 FTE

Actual expenditures for the ATC for the last three years have been:

FY 2013 \$1,099,542;
 FY 2014 \$1,005,623; and
 FY 2015 \$ 941,642

Oversight also notes that the Department recommendation for FY 2017 was for 27 FTE, with the additional 8 FTE (\$746,130) coming from the ATC dedicated funding. According to DPS's FY 2017 budget submission, the 19 core FTE from FY 2016 was reduced to 3 FTE, with 16 FTE switching from General Revenue to the Alcohol and Tobacco Control Fund.

§590.040 - POST requirements in law enforcement in Charter Counties and St. Louis City:

In response to a similar proposal (HB 2488), officials from the **Department of Public Safety - Office of the Director** assumed the proposal would not fiscally impact their agency.

In response to a similar proposal (HB 2488), officials from the **City of Kansas City** assumed the proposal would not fiscally impact their agency.

In response to a similar proposal (HB 2488), officials from the **St. Louis County Justice Services** assume the proposal would not fiscally impact their agency.

In response to a similar proposal (HB 2488), officials from the **St. Louis County Police Department** stated if passed, this bill would increase the academy to one thousand hours from the current 916 hours. Each academy class currently has approximately 20 recruits hired by St.

ASSUMPTION (continued)

Louis County and three classes are held a year, totaling 60 recruits per year. The sixty recruits hired each year fill ten beats. By increasing the academy class by two weeks, the ten beats would have to be filled with current officers on overtime. The beats would have to be covered for 4,800 hours with the general overtime rate of \$30.00 an hour. The total cost per year is \$144,000.00. The three year total cost is \$432,000.00.

Officials from Jackson County, St. Charles County, Jefferson County, St. Louis County, the Independence Police Department, St. Charles Police Department, and the St. Louis Metropolitan Police Department did not respond to **Oversight's** request for fiscal impact.

Oversight assumes the new minimum (1,000 hours of basic training at a nationally accredited training facility for any peace officer obtaining licensure after August 28, 2020 and employed by a political subdivision in a county of the first classification with a charter form of government (Jackson County, St. Louis County, St. Charles County, and Jefferson County) or in the City of St. Louis would have a fiscal impact on any local political subdivision that doesn't currently meet that threshold. Oversight doesn't know which law enforcement agencies will need to provide additional training to their new recruits starting in 2020; therefore, Oversight will reflect an unknown amount of additional expense in FY 2021.

§§ 610.026 & 610.100 - Open Records:

In response to a similar proposal from this year (HB 2344), officials from the **Office of the Governor**, the **Office of the State Auditor**, the **Department of Public Safety - Missouri Gaming Commission**, the **Office of the State Treasurer**, the **Department of Public Safety - Division of Fire Safety**, the **Department of Public Safety - Missouri Veterans Commission**, the **State Tax Commission**, the **Missouri Consolidated Health Care Plan**, the **Department of Revenue**, the **Joint Committee on Public Employee Retirement**, the **Administrative Hearing Commission**, the **Office of the State Courts Administrator**, the **Missouri Lieutenant Governor**, the **Office of the State Public Defender**, the **Legislative Research**, the **Missouri State Employees Retirement System**, the **Missouri Lottery Commission** and the **MoDOT and Patrol Employees Retirement System** each assumed the current proposal would not fiscally impact their respective agencies.

Officials from the **Office of Administration - Budget and Planning** state that currently, RSMo 610.026.1(1) allows public agencies, when fulfilling records requests, to charge fees for research time. This proposal specifies that research time includes time spent reviewing records to determine whether they are closed or are authorized to be closed. This could impact state agencies fulfilling such requests. This may increase Total State Revenue by an unknown amount

ASSUMPTION (continued)

and could impact the calculation under Article X, Section 18(e).

Oversight assumes this proposal may impact local law enforcement agencies in a similar manner as stated above by Office of Administration - Budget and Planning. For fiscal note purposes, Oversight will show an unknown positive impact to these agencies.

This proposal could increase Total State Revenue.

FISCAL IMPACT -
State Government

	FY 2017 (10 Mo.)	FY 2018	FY 2019	Fully Implemented (FY 2021)
GENERAL REVENUE				
Income - Research fees for open records §§610.026 & 610.100	Unknown	Unknown	Unknown	Unknown
 <u>Costs - DPS - SEMA - potential to reimburse urban search and rescue task force for expenses §§44.010 & 44.032</u>				
	\$0 or (Could exceed \$100,000)	\$0 or (Could exceed \$100,000)	\$0 or (Could exceed \$100,000)	\$0 or (Could exceed \$100,000)
 <u>Costs - DHSS §190.241 & §192.737</u>				
Personal Service	(\$67,300)	(\$81,568)	(\$82,383)	(\$84,039)
Fringe Benefits	(\$35,206)	(\$42,468)	(\$42,691)	(\$42,951)
Expense and Equipment	<u>(\$27,536)</u>	<u>(\$18,343)</u>	<u>(\$18,803)</u>	<u>(\$19,251)</u>
Total Costs - DHSS	<u>(\$130,042)</u>	<u>(\$142,379)</u>	<u>(\$143,877)</u>	<u>(\$146,241)</u>
FTE Change - DHSS	2 FTE	2 FTE	2 FTE	2 FTE
 ESTIMATED NET EFFECT TO GENERAL REVENUE	 (Could exceed <u>\$130,042</u>)	 (Could exceed <u>\$142,379</u>)	 (Could exceed <u>\$143,877</u>)	 (Could exceed <u>\$146,241</u>)
 Estimated Net FTE Change for General Revenue	 2 FTE	 2 FTE	 2 FTE	 2 FTE

<u>FISCAL IMPACT - Local Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019	Fully Implemented (FY 2021)
LOCAL LAW ENFORCEMENT				
<u>Income</u> - Research fees for open records §§610.026 & 610.100	Unknown	Unknown	Unknown	Unknown
<u>Costs</u> - new training requirements for new recruits starting after August 28, 2020 §590.040	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT TO LOCAL LAW ENFORCEMENT	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown to (Unknown)</u>

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

Under this act, any urban search and rescue task force is eligible to receive funds from the Missouri Disaster Fund for any reasonable and necessary expenditures incurred in the course of responding to any declared emergency.

This bill changes the laws regarding stroke center designation for hospitals by adding an alternative process for hospitals to obtain a stroke center designation. If a hospital applies for

FISCAL DESCRIPTION (continued)

stroke center designation using the alternative process, the Department of Health and Senior Services must designate the hospital using the following guidelines: (1) A level I stroke center if such hospital has been certified as a comprehensive stroke center by the Joint Commission or any other certifying organization designated by the department if such certification is in accordance with the American Heart Association and American Stroke Association guidelines; (2) A level II stroke center if such hospital has been certified as a primary stroke center by the Joint Commission or any other certifying organization designated by the department if such certification is in accordance with the American Heart Association and American Stroke Association guidelines; or (3) A level III stroke center if such hospital has been certified as an acute stroke-ready hospital by the Joint Commission or any other certifying organization designated by the department if such certification is in accordance with the American Heart Association and American Stroke Association guidelines.

The department is permitted to remove a hospital's designation as a stroke center if the hospital requests removal of the designation or the department determines that the certificate recognizing the hospital as a stroke center has been suspended or revoked. The bill requires the department to report to the certifying organization any complaint it receives related to the certification of a stroke center designated under these provisions and must also advise the complainant of which organization certified the stroke center and provide the necessary contact information should the complainant wish to pursue a complaint with the certifying organization. The bill specifies additional requirements for any hospital receiving designation as a stroke center under these provisions.

All hospitals designated as a STEMI or stroke center by the department must submit data to meet the data submission requirements specified by rules promulgated by the department. The submission of data may be done using methods specified in the bill and when collecting and analyzing data under the provisions of the bill, the department must comply with specified requirements.

The bill requires the department to use patient abstract data, the trauma registry, motor vehicle crash and outcome data, and other publicly available data sources to provide information and create reports for the purpose of data analysis and needs assessment of traumatic brain and spinal cord injured persons.

This proposal requires a mobile video recording that is recorded in a nonpublic location to be closed, except that any person who is depicted in the recording or whose voice is in the recording, or his or her agent as specified in the bill, may obtain a complete, unaltered, and unedited copy of the recording upon written request.

FISCAL DESCRIPTION (continued)

This bill requires peace officers who receive licenses after August 28, 2020, and who are employed by a political subdivision in Jackson, Jefferson, St. Charles, and St. Louis counties or in St. Louis City must have a minimum of 1,000 hours of basic training at a nationally accredited training facility.

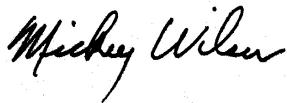
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Public Safety
Department of Health and Senior Services
Department of Higher Education
Office of the Secretary of State
St. Louis County Police Department
City of Kansas City
St. Louis County Justice Services
Missouri State University
Northwest Missouri State University
Springfield Police Department
Boone County Sheriff's Office
Cole County Sheriff's Office
State Technical College of Missouri
University of Central Missouri
University of Missouri
Joint Committee on Administrative Rules
Office of the Governor
Office of the State Auditor
Office of the State Treasurer
State Tax Commission
Missouri Consolidated Health Care Plan
Department of Revenue
Administrative Hearing Commission
Office of the State Courts Administrator
Missouri Lieutenant Governor
Office of the State Public Defender
Legislative Research

SOURCES OF INFORMATION (continued)

Missouri State Employees Retirement System
Missouri Lottery Commission
MoDOT and Patrol Employees Retirement System
Office of Administration - Budget and Planning



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