

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1202-01  
Bill No.: SB 315  
Subject: Cities, Towns, and Villages; Counties; Crimes and Punishment; Criminal Procedure; Evidence; Fees; Law Enforcement Officers and Agencies; Motor Vehicles; Political Subdivisions; Roads and Highways  
Type: Original  
Date: February 21, 2017

Bill Summary: This proposal requires in-person notice of most traffic violations, and prohibits automated traffic enforcement and fine collection.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
General Revenue	(More than \$7,800,000)	\$0	\$0
<b>Total Estimated Net Effect on General Revenue</b>	<b>(More than \$7,800,000)</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
<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 7 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</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 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

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

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials at the **Office of the Secretary of State (SOS)** assume a number of joint resolutions that would refer to a vote of the people a constitutional amendment and bills that would refer to a vote of the people the statutory issue in the legislation may be considered by the General Assembly.

Unless a special election is called for the purpose, Joint Resolutions proposing a constitutional amendment are submitted to a vote of the people at the next general election. Article XII section 2(b) of the Missouri Constitution authorizes the governor to order a special election for constitutional amendments referred to the people. If a special election is called to submit a Joint Resolution to a vote of the people, §115.063.2, RSMo, requires the state to pay the costs. The cost of the special election has been estimated to be \$7.8 million based on the cost of the 2016 Presidential Preference Primary. This figure was determined through analyzing and totaling expense reports from the 2016 Presidential Preference Primary received from local election authorities.

The SOS is required to pay for publishing in local newspapers the full text of each statewide ballot measure as directed by Article XII, Section 2(b) of the Missouri Constitution and Section 116.230-116.290, RSMo. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. Funding for this item is adjusted each year depending upon the election cycle with \$1.3 million historically appropriated in odd numbered fiscal years and \$100,000 appropriated in even numbered fiscal years to meet these requirements. Through FY 2013, the appropriation has historically been an estimated appropriation because the final cost is dependent upon the number of ballot measures approved by the General Assembly and the initiative petitions certified for the ballot. In FY 2015, the General Assembly changed the appropriation so that it was no longer an estimated appropriation. In FY 2017, the SOS was appropriated \$2.6 million to publish the full text of the measures. In FY 2017, at the August and November elections, there were 6 statewide Constitutional Amendments or ballot propositions that cost \$2.4 million to publish (an average of \$400,000 per issue). The SOS will continue to assume, for the purposes of this fiscal note, that it should have the full appropriation authority it needs to meet the publishing requirements. Because these requirements are mandatory, we reserve the right to request funding to meet the cost of our publishing requirements if the Governor and the General Assembly again change the amount or continue to not designate it as an estimated appropriation.

ASSUMPTION (continued)

**Oversight** has reflected in this fiscal note, the state reimbursing local political subdivisions the cost of having this legislation voted on during a special election in November 2017 (FY 2018). The next scheduled statewide primary election is in August 2018 and the next scheduled general election is in November 2018 (both in FY 2019). It is assumed the subject within this proposal could be on one of these ballots. However, the bill states the question will be put before the voters in November 2017. There is not a general election scheduled for November 2017, so Oversight will reflect the cost of holding a statewide special election.

Officials at the **City of St. Louis** assume this legislation has a potential negative impact on the revenues of the City of St. Louis. As a result of a recent state Supreme Court ruling, the City currently does not issue red-light camera tickets. However, the proposed legislation would preclude the City from addressing any deficiencies in the previous ordinance and eliminate the possibility of reintroducing this method of public safety traffic enforcement. Previously, the red light traffic light program provided approximately \$3,500,000 in net revenue annually.

In response to similar legislation from this year, HB 275, officials at the **St. Louis County Police Department** assumed this proposal would require the Department cease all use of red light traffic cameras to enforce traffic law. The proposal would also set restrictions for the use of current License Plate Reader (LPR) vehicles. The proposal advises that the LPR system can not be used, “to establish evidence that a motor vehicle or its operator is not in compliance with traffic signals, traffic speeds, or other traffic laws, ordinances, rules, or regulations on any public street, road, or highway within this state or to impose or collect any civil or criminal fine, fee, or penalty for any such noncompliance.” If the proposal refers only to traffic, the impact would be minimal, however, if this proposal refers to stopping the vehicle for any reason following an LPR ‘hit’, there would be a significant impact.

Additionally, the proposal states that within one year of the effective date, all maintenance and installation contracts for LPR systems must be terminated. There are four ELSAF LPR units which each cost approximately \$25,000 and one LPR system used by the Intelligence/Fusion Center that cost approximately \$40,000. The software and the customization of the internal applications cost an additional \$50,000. An incalculable amount of revenue generated from traffic stops initiated through the LPR system would also be lost, however, it is assumed that the amount is small and the effect, in this regard, would be minimal.

ASSUMPTION (continued)

**Oversight** assumes an unknown loss in revenues would be affected from this proposal on the LPR system for St. Louis County. Therefore, Oversight will range the potential impact from \$0 (not passed by voters) or unknown revenue loss for fiscal years 2019 and 2020 for this proposal since all contracts will be terminated within one year of the effective date.

Officials at the **Office of the State Courts Administrator**, the **Department of Public Safety’s Missouri Highway Patrol**, the **Department of Revenue** and the **Missouri Department of Transportation** each assume no fiscal impact to their respective agencies from this proposal.

Officials at the **Callaway County Commission**, the **City of Kansas City**, the **Springfield Police Department** and the **St. Louis County Justice Services** each assume no fiscal impact to their respective entities from this proposal.

In response to similar legislation from this year, HB 275, officials at the **City of Columbia**, the **Cole County Sheriff’s Department** and the **Boone County Sheriff’s Department** each assumed no fiscal impact to their respective entities from this proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
<b>GENERAL REVENUE FUND</b>			
<u>Transfer Out - SOS - reimbursement of local election authority election costs for November 2017 statewide special election</u>	(More than <u>\$7,800,000</u> )	<u>\$0</u>	<u>\$0</u>
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>	<b>(More than <u>\$7,800,000</u>)</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

<u>FISCAL IMPACT - Local Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
<b>LOCAL POLITICAL SUBDIVISIONS</b>			
<u>Transfer In</u> - Local Election Authorities - reimbursement of election costs by the State for a special election	More than \$7,800,000	\$0	\$0
<u>Costs</u> - Local Election Authorities - of a special election (November 2017)	(More than \$7,800,000)	\$0	\$0
<u>Loss</u> - Local Political Subdivisions - on revenue from LPR hits	<u>\$0</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
<b>ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS</b>	<b><u>\$0</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

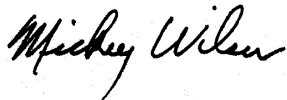
This act requires that motorists charged with traffic violations shall receive, within twenty-four hours of the violation, in-person notification from a law enforcement officer employed by the agency issuing the citation. This requirement does not apply to parking tickets, leaving the scene of an accident, incidents requiring further investigation, or any other situation in which in-person notification is not possible. This act prohibits the use of automated traffic enforcement systems to establish evidence a motor vehicle or its operator has committed a traffic-related offense, or to impose or collect any civil or criminal fine, fee, or penalty for such offense. State agencies and political subdivisions with automated traffic enforcement installation or maintenance contracts existing on the effective date of this section will be required to complete or terminate the contracts within one year, and thereafter must comply with the other provisions.

The bill contains a referendum clause and will not become effective unless approved by the voters of this state.

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

Office of the Secretary of State  
Office of the State Courts Administrator  
Department of Public Safety  
    Missouri Highway Patrol  
Department of Revenue  
Missouri Department of Transportation  
Callaway County Commission  
City of St. Louis  
City of Kansas City  
City of Columbia  
Cole County Sheriff's Department  
Boone County Sheriff's Department  
Springfield Police Department  
St. Louis County Justice Services  
St. Louis County Police Department



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