

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1265-02
Bill No.: HCS for SB 282
Subject: Public Safety, Department of; Law Enforcement Officers and Agencies
Type: Original
Date: May 8, 2017

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

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
General Revenue Fund	Less than (\$1,639,877)	Less than (\$1,107,341)	Less than (\$1,060,837)
Total Estimated Net Effect on General Revenue	Less than (\$1,639,877)	Less than (\$1,107,341)	Less than (\$1,060,837)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Conservation Commission Fund	Less than (\$100,000)	Less than (\$100,000)	Less than (\$100,000)
Highway Fund	Less than \$345,561	Less than \$524,678	Less than \$499,702
Federal Drug Seizure	(\$125,333)	(\$125,333)	(\$125,333)
Total Estimated Net Effect on Other State Funds	Less than \$220,228	Less than \$399,345	Less than \$374,369

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 18 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
General Revenue Fund	Less than 8 FTE	Less than 8 FTE	Less than 8 FTE
Total Estimated Net Effect on FTE	Less than 8 FTE	Less than 8 FTE	Less than 8 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 2018	FY 2019	FY 2020
Local Government	(More than \$78,000)	(More than \$78,000) or Less \$44,275,779	(More than \$78,000) or Less than \$50,396,406

FISCAL ANALYSIS

ASSUMPTION

Officials at the **Department of Labor and Industrial Relations (DOLIR) - Division of Workers' Compensation (DWC)** believe that any additional responsibilities, including an increase in investigation efforts to substantiate claims, could be absorbed by existing staff. However, the effect of any judicial pronouncements could affect long-range estimates. If significant impact that could not be absorbed were realized in out-years, the division would request additional resources through the appropriation process.

Officials from the **Office of the Secretary of State (SOS)** state 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, the SOS also recognizes 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 the office can sustain with the core budget. Therefore, the SOS reserves 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.

Officials at the **Department of Corrections, the Joint Committee on Administrative Rules, the Department of Transportation, the Office of Prosecution Services, the Missouri Tax Commission, the Department of Social Services, and the Department of Natural Resources** each assume this proposal will not have a fiscal impact on their respective organizations.

Officials at the **City of Kansas City** assume this proposal would have a positive fiscal impact to their organization.

§§92.020, 92.024, 92.025, 92.026

Based on a similar legislation from this session (HCS for SB 25), **Oversight** assumed St. Louis City's Assessed Valuation for the last 3 years totaled as follows:

2016 - \$4,320,864,883

2015 - \$4,372,999,058

2014 - \$4,302,085,108

*Source: State Tax Commission Annual Reports for 2016, 2015 and 2014

A 3 year average would equal \$4,331,983,016. According to §92.024, St. Louis City may levy and collect a tax not to exceed sixty cents per one hundred dollars of assessed valuation upon all

ASSUMPTION (continued)

taxable property. The tax value would equal \$43,319,830 (\$4,331,983,016/\$100). If the voters of the City of St. Louis approve the maximum amount per one hundred dollars of assessed valuation, then the maximum amount could be up to \$25,991,898 to fund public safety services for the City. Therefore, Oversight will assume \$0 (if not approved by the voters) or up to \$25,991,898 per year for this proposal.

Oversight also assumed the earliest this proposal could be on the ballot for St. Louis City would be in April of 2018 and would not take affect until FY2019. Therefore, Oversight will reflect revenues from taxes collected starting in FY 2019.

§§94.900, 94.902, 94.903 - ½% Sales Tax increase on certain cities

In response to a similar proposal from this session (HCS No. 2 for HB 48, 69, 495, 589), officials at the **Department of Public Safety's Office of the Director** assumed no fiscal impact from this proposal.

In response to similar proposal from this session (HB 867), officials from the **Office of the Secretary of State** assumed no fiscal impact from this proposal.

Oversight assumes this proposal is enabling legislation and would have no fiscal impact unless the governing body would request the voters of their city to approve the imposition of a sales tax. Should the voters approve the imposition of a sales tax, the city could expect revenue to be generated and there would be costs for improving the public safety of the city. Oversight assumes the Department of Revenue would collect the sales tax and retain a 1% collection fee which would be deposited into the State's General Revenue Fund.

Oversight notes that sections 94.902.1 and 94.903.1 appear to achieve the same purpose. This analysis assumes that the impacted cities in each section will each levy a 0.5% public safety sales tax.

Oversight assumes the amounts collected would be spent for public safety purposes but will not include those expenditures in this fiscal note.

Oversight notes, according to the bill description, 28 cities would now qualify to put the ½% sales tax for public safety purposes on the ballot. Page 4 of the note lists the cities and the potential sales tax proceeds if the ballot question is approved.

According to information found on the Tax and Fee Distribution Summary for Cities from the Department of Revenue's Financial and Statistical Report, the following are the local sales tax revenues for FY16, FY15 and FY14. The additional ½ tax rate would yield \$23,994,349 in additional tax revenue.

ASSUMPTION (continued)

	<u>Tax Rate</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>3 Year Average</u>	<u>Tax Sales Base</u>	<u>Adding ½ tax rate</u>
Bolivar	2.500%	4,855,996	4,609,123	4,367,389	4,610,836	194,239,840	971,199
Branson	1.500%	17,149,452	16,440,333	15,453,917	16,347,901	1,143,296,800	5,716,484
Carl Junction	2.500%	717,051	708,644	621,382	682,359	28,682,040	143,410
Dexter	1.875%	3,003,459	3,134,157	2,931,613	3,023,076	160,184,480	800,922
Eldon	2.900%	1,887,669	1,955,081	1,902,211	1,914,987	65,092,034	325,460
Eureka	1.000%	2,547,485	2,416,480	2,233,936	2,399,300	254,748,500	1,273,743
Harrisonville	1.875%	4,088,704	3,985,818	3,840,645	3,971,722	218,064,213	1,090,321
Higginsville	2.250%	1,426,309	1,374,066	1,329,781	1,376,719	63,391,511	316,958
Jackson	2.000%	4,413,152	4,364,016	4,087,896	4,288,355	220,657,600	1,103,288
Jennings	1.250%	1,628,854	1,786,042	1,735,602	1,716,833	130,308,320	651,542
Lake St. Louis	2.000%	6,587,036	6,155,522	4,548,428	5,763,662	329,351,800	1,646,759
Lamar	2.000%	1,469,486	1,392,778	1,357,856	1,406,707	73,474,300	367,372
Lebanon	2.000%	7,144,879	6,691,768	6,280,483	6,705,710	357,243,950	1,786,220
Lexington	2.500%	920,148	939,668	847,497	902,438	36,805,920	184,030
Mountain Grove	2.000%	2,000,811	1,982,157	1,786,109	1,923,026	100,040,550	500,203
Mount Vernon	2.000%	1,614,123	1,361,809	1,064,555	1,346,829	80,706,150	403,531
Oak Grove	3.000%	2,216,456	2,118,668	1,998,803	2,111,309	73,881,867	369,409
Pacific	2.000%	1,293,369	1,319,327	1,135,241	1,249,312	64,668,450	323,342
Peculiar	2.500%	1,068,950	1,065,027	973,010	1,035,662	42,758,000	213,790
Platte City	2.375%	2,399,263	2,373,673	2,122,575	2,298,504	101,021,600	505,108
Republic	2.375%	5,604,326	4,998,885	4,435,397	5,012,869	235,971,621	1,179,858
Rock Hill	1.500%	1,167,572	1,060,899	940,831	1,056,434	77,838,133	389,191
St. Clair	3.000%	1,160,572	1,107,268	1,009,203	1,092,348	38,685,733	193,429
Salem	1.875%	1,909,659	1,683,183	1,691,993	1,761,612	101,848,480	509,242
Sullivan	2.500%	3,144,341	3,002,303	2,873,392	3,006,679	125,773,640	628,868
Troy	2.000%	5,172,685	4,870,470	4,377,057	4,806,737	258,634,250	1,293,171
Union	3.000%	3,772,282	3,675,993	3,410,325	3,619,533	125,742,733	628,714
Warrenton	2.750%	2,633,327	2,395,897	2,419,628	2,482,951	95,757,345	478,787
Total		92,997,416	88,969,055	81,776,755	87,914,409	4,798,869,862	23,994,349

Therefore, **Oversight** will assume \$0 (not approved) or up to \$23,994,349 for a fiscal impact for this proposal. Oversight also assumes a municipal election in April 2018. If the new tax rate for the cities is approved by the majority of voters, the additional tax would begin October 1, 2018 (FY 2019).

Section 210.1014 - Amber Alert

In response to a similar proposal from this session (HB 697), officials from the **Department of Public Safety - Missouri Highway Patrol** assumed the proposal would not fiscally impact their agency.

ASSUMPTION (continued)

In response to a similar proposal from this session (HB 697), officials from the City of St. Louis, St. Louis County and the St. Louis Metropolitan Police Department did not respond to **Oversight's** request for fiscal impact.

Section 287.243 - Line of Duty Compensation Act

Officials at the **Department of Public Safety - Fire Safety Division (DPS - FS)** state this proposal does not have a fiscal impact on their organization. However, the uniformed staff of their organization are impacted because Section 287.243 includes uniformed staff. Therefore, survivors of uniformed staff at DPS-FS are eligible for benefits.

In response to a similar proposal from this session (HB 40), officials from the **Springfield Police Department**, the **Cole County Sheriff's Department**, and the **Boone County Sheriff's Department** each assumed the proposal would not fiscally impact their respective agencies.

In response to a previous version of this proposal (1265-01), officials at the **Department of Labor and Industrial Relations (DOLIR) - Division of Workers' Compensation (DWC)** believed that any additional responsibilities, including an increase in investigation efforts to substantiate claims, could be absorbed by existing staff. However, the effect of any judicial pronouncements could affect long-range estimates. If significant impact that could not be absorbed were realized in out-years, the division would request additional

In response to a previous version of this proposal (1265-01), officials at the **Department of Conservation (MDC)** assumed the proposal would have a negative fiscal impact on their organization estimated at less than \$100,000 annually.

Oversight will not show a fiscal impact to MDC based on information obtained from the Department of Labor and Industrial Relations - Division of Workers' Compensation FY2017 budget submitted to the Governor. The following table provides the number of claims and total dollar amount paid in claims from the Line of Duty Compensation Fund (0939). As the table indicates in FY2013 there were 13 claims for a total of \$325,000 paid out and decreases to 2 claims and \$50,000 paid out in FY2015. Therefore, Oversight will not show a fiscal impact to MDC from this proposal.

ASSUMPTION (continued)

Department of Labor and Industrial Relations - Division of Workers' Compensation					
Line of Duty Compensation - Fund 0939					
	FY2013	FY2014	FY2015	FY2016	FY2017*
# of Claims Paid	13	10	2	5	4
Total Dollar Amount of Claims Paid	\$325,000	\$250,000	\$50,000	\$125,000	\$100,000
* Number of Claims and Total Dollar Amount of Claims Paid to Date					
<i>Information in this table obtained from the FY2017 and FY 2018 Budgets (pages 164 & 165) which were submitted to the Governor by Department of Labor and Industrial Relations.</i>					

In response to a previous version of this proposal (1265-01), officials at the **Department of Public Safety - Highway Patrol** deferred to Department of Transportation's Enterprise Risk Management Program for a fiscal impact.

In response to a previous version of this proposal (1265-01), officials at the **Office of Administration - Personnel**, the **Office of Administration - Accounting**, and the **Office of Administration - General Services** each assumed the proposal would not have a fiscal impact on their respective organizations.

In response to a previous version of this proposal (1265-01), officials at the **Springfield Police Department** assumed the proposal would not have a fiscal impact on their organization.

In response to a similar proposal from this session (HB 426), officials at the **St. Louis County Police Department**, and the **St. Louis County Justice Services** each assumed the proposal would not have a fiscal impact on their respective organizations.

In response to a previous version of this proposal (1265-01), officials at the **DeSoto Rural Fire Protection District** assumed the proposal would not have a fiscal impact on their organization.

Section 320.087 - Records subject to closure under HIPAA

In response to a part of a similar proposal from this session (HCS SCS SB 112), officials at the **Office of the Secretary of State** assumed no fiscal impact from this proposal.

In response to a similar proposal from this session (HCS SCS SB 112), officials at **St. Louis County** and the **City of Kansas City** each assumed no fiscal impact to their respective entities from this proposal.

ASSUMPTION (continued)

In response to a similar proposal from this session (HCS SCS SB 112), officials at the **Callaway County Commission** and the **City of Columbia** each assumed no fiscal impact to their respective entities from this proposal.

In response to a similar proposal from this session (HCS SCS HB 1124), officials from the **Attorney General's Office** assumed any potential cost arising from this proposal can be absorbed with existing resources.

In response to a similar proposal from this session (HCS SCS HB 1124), officials from the **Department of Public Safety - Fire Safety Division**, the **Office of Administration - Accounting Division** and the **Office of Administration - Personnel Division** each assumed the proposal would have no fiscal impact on their respective organizations.

§§321.242, 321.246 - Additional Sales Tax for Ripley County Rural Fire Protection District

Officials at the **Department of Revenue (DOR)** assume businesses in multiple cities in Missouri may need to collect and remit an additional sales tax of one-half of one percent for public safety issues in the city. If sales taxes are enacted, the integrated tax system incurs additional costs of \$65,520 to implement the provisions of this legislation.

Oversight assumes DOR is provided with core funding to handle a certain amount of computer programming activity each year, and assumes DOR could absorb the programming costs related to this proposal. If multiple bills pass which require additional staffing and duties at substantial costs, DOR could request funding through the budget process.

In response to similar proposal from this session (HB 69), officials from **Ripley County** advised there was not currently an organized Rural Fire Protection District in Ripley County.

In response to similar proposal from this session (HCS No. 2 for HB 48, 69, 495, 589), officials from the **University of Missouri - Economic and Policy Analysis Research Center (EPARC)** provided the following information.

This proposal would authorize the Ripley County Rural Fire Protection District to submit a proposal for a sales tax to the voters for up to one-half of one percent.

The Ripley County sales tax base has averaged \$98,130,757 over the last three years. Should a new one-half percent sales tax be implemented throughout Ripley County causing the after-tax price for all goods to increase by one-half percent, we estimate an approximate one-half percent decline in the demand for all goods reducing the tax base to \$97,642,544.

EPARC officials assumed the sales tax on this base would yield new collections of \$488,213; \$483,331 for Ripley County for a rural fire protection district and \$4,882 to General Revenue for the state collection fee of 1%.

ASSUMPTION (continued)

EPARC officials assume a reduction in the sales tax base by approximately ½ % would reduce all other sales tax collections within Ripley County by approximately ½ %, an aggregate reduction of \$12,710 of which \$254 represents the decrease in the 2% General Revenue Collection Fee. The reduction in the Ripley County sales tax base would reduce the 3% General Revenue Sales Tax collection from \$2,943,923 to \$2,929,276, a reduction of \$14,646.

Oversight will not include any potential secondary impacts from this proposal in this fiscal note.

In response to similar proposal from this session (HB 69), officials from the **Office of the Secretary of State** assumed no fiscal impact from this proposal.

Oversight reviewed information available from Department of Revenue reports and noted that sales tax collections for Ripley County for the years ended June 30, 2014, 2015, and 2016 were \$1,386,463, \$1,542,970, and \$1,463,995, respectively. Therefore, average annual collections would be $((\$1,386,463 + \$1,542,970 + \$1,463,995) = \$4,393,428 / 3) = \$1,464,476$ with a tax rate of 1.5%.

Oversight assumes a one-half percent sales tax rate would generate $(\$1,464,476/3) = \$488,159$ if the proposition is approved by the voters and will include an impact of \$0 or that amount for fiscal note purposes. Oversight assumes a municipal election in April 2018. If the new tax rate for the cities is approved by the majority of voters, the additional tax would begin October 1, 2018 (FY 2019). Therefore, Oversight will assume the following:

FY18 - \$0
FY19 - \$366,119 (9 months)
FY20 - \$488,159

Oversight assumes the amounts collected for a Fire Protection District would be spent for fire safety purposes but will not include those expenditures in this fiscal note. For simplicity, Oversight will not include the 1% withholding for Department of Revenue collection costs in this fiscal note.

Section 513.655 - Forfeiture of seized property by law enforcement agencies

Officials at the **Department of Public Safety's Missouri Highway Patrol (MHP)** assume over the past three years, the Patrol has received approximately \$547,000 from 176 different forfeiture cases. A total of \$6,293,000 had been seized in those 176 cases so the Patrol's average share of a seizure was approximately 9% $(\$547,000 / \$6,293,000)$. The average share the Patrol received was about \$3,100 $(\$547,000 / 176 \text{ cases})$. During those three years, the Patrol's share ranged from as little as \$50 (from a \$6,720 seizure) to as high as \$52,685 (from a \$153,600 seizure). Of the \$547,000 total that the Patrol received during those three years, \$171,000 of it came from

ASSUMPTION (continued)

cases that exceeded \$100,000; the other \$376,000 came from cases that were less than \$100,000. Therefore, if this legislation eliminated the Patrol's share of every case in which the total was less than \$100,000, the impact on the Patrol would have been a \$376,000 loss of revenue during that three-year period or approximately \$125,000 per year. Any share of a seizure that we receive is deposited into the Federal Drug Seizure Fund (Fund 0194).

Oversight will show a negative fiscal impact to the Federal Drug Seizure Fund in the amount of \$125,333 for FY2018, FY2019 and FY2020 based on the response from MHP for costs related to the forfeiture of seized property that involves US currency less than \$100,000.

In response to a similar proposal from this session (HB 231), officials at the **St. Louis County Police Department (STLCPD)** assumed the proposal requires that any forfeiture by STLCPD under \$100,000 would have to be sent to State Asset Litigation. Any forfeiture over \$100,000 could be sent to either State or Federal Asset Litigation. This change would result in a loss for STLCPD because assets seized federally result in a portion of the forfeiture being returned to the agency. Forfeitures seized at the state level are all surrendered by the STLCPD. The exact amount of the loss is unknown, but the forfeiture funds that the STLCPD currently receives support programs for children and assists in the purchase of specialized equipment and technology.

Oversight will show an unknown negative fiscal impact to local state government based on the response from the St. Louis County Police Department.

Officials at the **Springfield Police Department (SPD)** assume a cost of \$78,000 in forfeiture funds each year. The \$78,000 would have been the amount remitted back to SPD by the federal agency to purchase needed law enforcement equipment and to fund training.

Oversight will show a negative \$78,000 fiscal impact to local state government based on the response from the Springfield Police Department.

In response to a similar proposal from this session (HB 231), officials at the **Office of the Attorney General** assumed that any potential costs arising from this proposal can be absorbed with existing resources.

In response to a similar proposal from this session (HB 231), officials at the **Office of the State Courts Administrator**, the **Office of the State Public Defender** and the **Office of Prosecution Services** each assumed no fiscal impact to their respective agencies from this proposal.

In response to a similar proposal from this session (HB 231), officials at the **St. Louis County Justice Service** assumed no fiscal impact from this proposal.

ASSUMPTION (continued)

Section 590.510 - Written policy in regards to investigation of officer-involved deaths

Officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** state this proposed legislation states that each law enforcement agency shall have a written policy regarding the investigation of officer-involved deaths that involve peace officers employed by the agency.

Each officer-involved death is to be investigated by at least two investigators, one of whom is the lead investigator and neither of whom is employed by the law enforcement agency that employs the officer involved in the death.

Currently, the MHP is not tasked with assisting larger law enforcement agencies with their officer involved death investigations. The Division of Drug and Crime Control (DDCC) polled surrounding agencies for their number of officer-involved shooting investigations. Most agencies failed to respond at the time this response was prepared, but the two largest agencies averaged 15 per year. This number did not include St. Louis County or Jackson County. Officer involved shooting investigations are time and manpower intensive. They are prioritized before all other cases due to the sensitive nature. On an average officer involved shooting/death investigation, there is a minimum of three to four Highway Patrol investigators assigned to each of these critical incidents. Many of these types of investigations require an increase in manpower depending on the number of crime scenes, witnesses and the nature of evidence collection. Based on preliminary numbers from the largest police agencies in Missouri and in order to provide adequate coverage for the state, the Highway Patrol estimates that 8 FTE's would be needed for the following areas: Springfield (1), Kansas City (2), St. Louis (3), Troop F (1), and Troop H (1).

Probationary Trooper ($\$1,715 \times 2 \times 7$) + ($\$1,758 \times 2 \times 5$) (7 months entry salary/5 months graduation salary)	\$41,590
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Criminal Investigator	\$77,256
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**These investigator positions would be filled by members having the rank of Sergeant. The cost to the state would be hiring a new recruit to eventually replace these positions. The starting salary has been shown, but the recruit would go through several salary levels during the first three years. Our figures are based on internal pay increases unique to troopers.

Overall, the cost to the state would be a General Revenue expense with a smaller offsetting savings in Highway. The following is breakdown of the equipment and expenses:

ASSUMPTION (continued)

Vehicle and equipment	\$49,798
Academy Training	\$12,754
Weapons, Personal Equipment, etc.	\$2,889
Uniform Allowance	\$800
Vehicle Maintenance	\$1,857
Gasoline	\$9,250
Cell Phone Costs with Mi-Fi Unit	\$1,140
Dell Latitude 15 with Docking Station	\$826
Miscellaneous Trooper Expenses (Ammunition, Leather Replacement, etc.)	\$330
Laser Scanner	\$78,127

The Laser Scanner is a device used for forensic mapping. The laser scanner will thoroughly record distance, angles, and elevation of a crime scene in a short amount of time and the data collected can be used to create a three-dimensional model of the crime scene exactly the way the officer found it.

Software Recurring Charge	\$4,950
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Overall, the cost to the state would be to General Revenue for the new Criminal Investigators expense with a smaller offsetting savings in Highway since higher paid Sergeants would be taken off of highway duty and replaced with lower-paid new recruits.

In summary, the MHP assumes a cost to the General Revenue Fund of \$1.64 million in FY 2018 and \$1.3 million each year thereafter, as well as a savings to Highway Funds of approximately \$500,000 per year.

Oversight assumes it is unknown how many officer-involved death investigations would be requested by the Attorney General each year, and what agencies would be requested to conduct those investigations. Oversight assumes the numbers would not warrant an additional 8 troopers for the MHP, but we have no basis to estimate the amount needed. Therefore, Oversight will reflect a fiscal impact of "Less Than" the estimate provided by the MHP.

Officials at the **Department of Conservation** assume a negative fiscal impact on Department funds of less than \$100,000 for training and system development to handle records required in the officer involved section.

In response to a similar proposal from this session (HB 232), officials from the **Office of Prosecution Services**, the **Department of Natural Resources**, the **Department of Social Services - State Technical Assistance Team**, and the **Department of Public Safety - Capitol Police** each assumed the proposal would not fiscally impact their respective agencies.

ASSUMPTION (continued)

In response to a similar proposal from this session (HB 232), officials from the **Attorney General's Office** assumed that any potential costs arising from this proposal could be absorbed with existing resources.

In response to a similar proposal from 2016 (HB 1774), officials from the **Independence Police Department** stated the bill will have significant fiscal impact on local law enforcement. By requiring outside agency investigators of any law enforcement involved death, the investigation will be delayed while outside agencies are contacted, resources identified and those officers are called out to respond to investigate. While this is taking place the involved agency will have to secure the crime scene. This will require significant resources quite possibly involving extensive overtime expenses. Investigative agencies will also have increased expenses associated with conducting investigations for outside agencies.

In response to a similar proposal from 2016 (HB 1774), officials from the **Boone County Sheriff's Department (BCSD)** stated costs will be incurred for policy development that meets statutory requirements, and then training staff on that policy. For the BCSD, this cost includes the training of approximately 60 department staff. The policy training block would likely be from 1 to 2 hours per staff member. Starting hourly rate for a deputy in Boone County is \$19.93, but the figure of \$20/hour will be used as this is the absolute lowest possible cost (actual cost will be much greater based upon tenured staff hourly pay rate). Training costs will range at a minimum from \$1200 (1 hours) to \$2400 (2 hours).

In response to a similar proposal from this session (HB 232), officials from the **St. Louis County Police Department** stated there would be an unknown significant fiscal impact to St. Louis County Police Department from this bill. The bill suggests a mutual aid agreement to deal with the compensation of officer involved death investigators. St. Louis County Police Department could enter into a mutual aid agreement with St. Louis City, where both parties agree that any officer involved deaths will be investigated by the other for no cost however a second agreement would also have to be made with an additional agency. Based on these agreements, St. Louis County Police Department would also be responsible for assisting at any time without notice and for an undetermined amount of time. It should also be noted that St. Louis County Police Department could have to provide more investigators and man hours to other agencies than the County would use itself.

If investigators are not acquired through mutual aid agreements, there will be a significant cost associated with having to compensate at least two investigators for an unknown length of time while an investigation is being conducted. Also, there are usually more than two investigators involved in such investigations, causing the total cost to rise significantly.

While we are unable to estimate an exact number to predict the fiscal impact of this bill, we can breakdown the average cost of an officer involved death investigation. On average, each officer involved death investigation consists of the following: 80 hours of investigation for two

ASSUMPTION (continued)

investigators, 8 hours of investigation for five additional investigators, 16 hours of supervision for one sergeant, 8 hours of supervision for one lieutenant, 8 hours of investigation for one crime scene investigator, and 8 hours of supervision for one crime scene supervisor. The average hourly rate for a police officer is \$37.48; for a sergeant is \$44.91; and for a lieutenant is \$52.22. This means on average, one officer involved death investigation costs a minimum of \$9,291.44. St. Louis County Police Department has averaged 3 officer involved death investigations per year, over the last three years. This is a cost of \$27,784 per year. This is the minimum amount of fiscal impact this bill would cost the department, and we anticipate the cost being significantly higher when investigations for other municipalities are factored in.

In response to a similar proposal from this session (HB 232), officials from the **Cole County Sheriff's Department** stated the proposal would have minimal fiscal impact regarding the policy.

In response to a similar proposal from 2016 (HB 1774), officials from the **Columbia Police Department** and the **Springfield Police Department** each assumed the proposal would not fiscally impact their respective agencies.

Officials from the Buchanan County Sheriff's Department, Cass County Sheriff Department, Clark County Sheriff's Department, Cole County Sheriff Department, Columbia Police Department, Independence Police Department, Jackson County Sheriff Department, Jefferson City Police Department, Platte County Sheriff's Department, St. Charles Police Department, St. Joseph Police Department, and the St. Louis Metropolitan Police Department did not respond to **Oversight's** request for fiscal impact.

Officials at the Battlefield Fire Protection District, Central County Fire and Rescue, Centralia Fire Department, Creve Coeur Fire District, Hawk Point Fire Protection District, Hillsboro Fire Protection District, Lake St. Louis Fire District, Mehlville Fire District, Nixa Fire Protection District, Saline Valley Fire Protection District and the Southern Iron County Fire Protection District did not respond to **Oversight's** request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
GENERAL REVENUE FUND			
<u>Additional Revenue - DOR</u>		\$0 or Up to	\$0 or Up to
Collection charges on sales tax	<u>\$0</u>	<u>\$183,612</u>	<u>\$244,825</u>
<u>Costs - MHP - §590.510</u>	Less than...	Less than...	Less than....
Personal Service (8 FTE)	(\$515,040)	(\$624,228)	(\$630,471)
Fringe Benefits	(\$451,227)	(\$546,886)	(\$552,356)
Expense and Equipment	(\$95,788)	(\$109,691)	(\$112,434)
Vehicle and Equipment	(\$421,568)	\$0	\$0
Laser Scanner	<u>(\$156,254)</u>	<u>(\$10,148)</u>	<u>(\$10,401)</u>
	Less than	Less than	Less than
<u>Total Costs - MHP</u>	<u>(\$1,639,877)</u>	<u>(\$1,290,953)</u>	<u>(\$1,305,662)</u>
FTE Change - MHP - §590.510	Less than 8 FTE	Less than 8 FTE	Less than 8 FTE
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>Less than (\$1,639,877)</u>	<u>Less than (\$1,107,341)</u>	<u>Less than (\$1,060,837)</u>
Estimated Net FTE Change for the General Revenue Fund	Less than 8 FTE	Less than 8 FTE	Less than 8 FTE
CONSERVATION FUNDS			
<u>Cost - training and system development on records required in the death of an officer - §590.510</u>	Less than <u>(\$100,000)</u>	Less than <u>(\$100,000)</u>	Less than <u>(\$100,000)</u>
ESTIMATED NET EFFECT TO CONSERVATION FUNDS	<u>Less than (\$100,000)</u>	<u>Less than (\$100,000)</u>	<u>Less than (\$100,000)</u>
HIGHWAY FUNDS			
<u>Savings - MHP - from replacing existing troopers (Sergeants) with probationary troopers - (less expensive) - §590.510</u>	Less than <u>\$345,561</u>	Less than <u>\$524,678</u>	Less than <u>\$499,702</u>
ESTIMATED NET EFFECT ON HIGHWAY FUNDS	<u>Less than \$345,561</u>	<u>Less than \$524,678</u>	<u>Less than \$499,702</u>
Estimated Net FTE Change for the Missouri Highway Patrol	0 FTE	0 FTE	0 FTE

FISCAL IMPACT - Small Business

An impact to small business in multiple cities in Missouri may need to collect and remit an additional sales tax of one-half of one percent of public safety issues in the city.

FISCAL DESCRIPTION

The proposal would modify several sections of Missouri law which could affect law enforcement agencies.

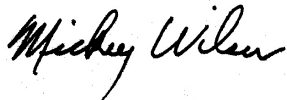
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Labor and Industrial Relations - Division of Workers' Compensation
Department of Conservation
Department of Corrections
Department of Transportation
Department of Public Safety - Highway Patrol
Department of Public Safety - Director's Office
Department of Public Safety - Capitol Police
Department of Public Safety - Fire Safety Division
Department of Revenue
Department of Transportation
Missouri Tax Commission
Attorney General's Office
Office of Administration - Budget and Planning
Office of Administration - Personnel
Office of Administration - Accounting
Office of Administration - General Services
Office of State Courts Administrator
State Public Defender's Office
Office of Prosecution Services
Joint Committee on Administrative Rules
Department of Corrections
Department of Natural Resources
Office of Secretary of State
City of Columbia
City of Kansas City
Callaway County
St. Louis County
St. Louis County Police Department
St. Louis County Justice Services
Columbia Police Department

SOURCES OF INFORMATION (continued)

Independence Police Department
Springfield Police Department
Boone County Sheriff's Department
Cole County Sheriff's Department
DeSoto Rural Fire Protection District
Ripley City Rural Fire Protection District
University of Missouri - Economic and Policy Analysis Research Center



Mickey Wilson, CPA
Director
May 8, 2017

Ross Strobe
Assistant Director
May 8, 2017