

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0458-01  
Bill No.: SB 64  
Subject: Law Enforcement Officers and Agencies; Political Subdivisions; Immigration;  
 Federal-State Relations  
Type: Original  
Date: February 1, 2019

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Bill Summary: This proposal modifies provisions relating to sanctuary policies for municipalities.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
<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 5 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</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 2020</b>	<b>FY 2021</b>	<b>FY 2022</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 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>
<b>Local Government</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials at the **City of Springfield** assume a potential negative fiscal impact from this proposal. The impact is unquantifiable without knowing how the law will affect administrative cost or how noncompliance would affect City funding.

**Oversight** notes the proposal states “Any political subdivision of this state that enacts or adopts a sanctuary policy shall be ineligible for any moneys provided through grants administered by any state agency or department until the sanctuary policy is repealed or is no longer in effect.” The language is being changed in §67.307.2 from “municipality” to political subdivision. While “municipality” is defined in §67.307.1, the word “political subdivision” is not. Oversight also assumes this proposal is permissive in nature and would have no local fiscal impact without the action of the governing body of the political subdivision. Therefore, Oversight will assume a negative fiscal impact of \$0 to unknown for this proposal.

Officials at the **Office of the Attorney General (AGO)** assume that any additional litigation costs arising from this proposal can be absorbed with existing personnel and resources. However, the AGO may seek additional appropriations if there is a significant increase in litigation.

Officials at the **Department of Public Safety’s Missouri Highway Patrol** assume no fiscal impact from this proposal.

**Oversight** notes that the Office of the Attorney General and the Department of Public Safety’s Missouri Highway Patrol each has stated the proposal would not have a direct fiscal impact on their organization. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note for these agencies.

Officials at the **City of Kansas City**, the **Jackson County Sheriff’s Office**, the **Boone County Sheriff’s Department**, the **St. Louis County Police Department**, the **St. Louis County Department of Justice Services** and the **Joplin Police Department** each assume no fiscal impact to their respective entities from this proposal.

**Oversight** only reflects the responses that we have received from state agencies and political subdivisions; however, other cities, counties and local law enforcement agencies were requested to respond to this proposed legislation but did not. For a general listing of political subdivisions included in our database, please refer to [www.legislativeoversight.mo.gov](http://www.legislativeoversight.mo.gov).

<u>FISCAL IMPACT - State Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
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**LOCAL POLITICAL SUBDIVISIONS**

<u>Loss - Local Political Subdivisions - of potential funding if sanctuary policies are enacted or adopted</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
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<b>ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS</b>	<b><u>\$0 or (Unknown)</u></b>	<b><u>\$0 or (Unknown)</u></b>	<b><u>\$0 or (Unknown)</u></b>
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FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

This act adds law enforcement policies, whether formally enacted or not, to the definition of sanctuary policy with regard to political subdivisions. Additionally, the following will constitute a sanctuary policy: restricting or placing conditions on local law enforcement’s cooperation with Immigration and Customs Enforcement (ICE), requiring ICE to obtain a warrant or demonstrate probable cause before taking any alien into custody or maintaining such custody, or preventing local law enforcement from asking an individual their immigration status. Finally, this act expands what body of local government will be cut off from certain state funds if it adopts any sanctuary policies from only municipalities to political subdivisions.

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

City of Springfield  
Office of the Attorney General  
Department of Public Safety  
    Missouri Highway Patrol  
City of Kansas City  
Jackson County Sheriff's Office  
Boone County Sheriff's Department  
St. Louis County Police Department  
St. Louis County Department of Justice Services  
Joplin Police Department



Kyle Rieman  
Director  
February 1, 2019

Ross Strobe  
Assistant Director  
February 1, 2019