

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3178-10  
Bill No.: HCS for SS for SB No. 600  
Subject: Crimes and Punishment  
Type: Original  
Date: April 30, 2020

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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 2021	FY 2022	FY 2023	Fully Implemented (FY 2038)*
General Revenue	(Could exceed \$4,457,006)	(Could exceed \$4,996,806)	(Could exceed \$5,699,491)	Could significantly exceed (\$10,363,764)
<b>Total Estimated Net Effect on General Revenue</b>	<b>(Could exceed \$4,457,006)</b>	<b>(Could exceed \$4,996,806)</b>	<b>(Could exceed \$5,699,491)</b>	<b>Could significantly exceed (\$10,363,764)</b>

\* DOC anticipated a significant fiscal impact (potential increase in prison population of over 2,500 prisoners for the changes in the several bills that make up the bill) by FY 2038. However, Oversight assumes there could be some overlap (double-counting) of additional prisoners between the several provisions in the bill.

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE, OTHER STATE FUNDS AND FEDERAL FUNDS (DOD only)</b>			
<b>FUND AFFECTED</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>
Department of Public Safety*	\$0 or \$22,485,373	\$0 or \$44,970,747	\$0 or \$44,970,747
Department of the Defense	\$0 or (\$22,485,373, or could exceed \$22,685,373)	\$0 or (\$44,970,747, or could exceed \$45,170,747)	\$0 or (\$44,970,747, or could exceed \$45,170,747)
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0 or Could exceed (\$200,000)</b>	<b>\$0 or Could exceed (\$200,000)</b>	<b>\$0 or Could exceed (\$200,000)</b>

\* The current appropriation for the Office of the Adjutant General is out of several state and federal funds (see page 84 for a breakout).

Numbers within parentheses: ( ) indicate costs or losses.  
 This fiscal note contains 108 pages.

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>				
<b>FUND AFFECTED</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>Fully Implemented (FY 2038)</b>
Department of Public Safety*	\$1,805,953	\$1,805,953	\$1,805,953	\$1,805,953
Capitol Police Board*	(\$1,805,953)	(\$1,805,953)	(\$1,805,953)	(\$1,805,953)
Criminal Record System Fund (0671)	Unknown to (Could exceed \$86,240)	Unknown to (Unknown)	Unknown to (Unknown)	Unknown to (Unknown)
Various State Funds	Less than \$100,000	Less than \$100,000	Less than \$100,000	Less than \$100,000
Water Patrol Division Fund (0400)	\$0	\$0	Less than \$25,000	Could exceed \$25,000
Colleges and Universities	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
Pretrial Witness Protection Services Fund*	\$0	\$0	\$0	\$0
Community Crime Reduction Program*	\$0	\$0	\$0	\$0
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>Unknown to (Could exceed \$86,240)</b>	<b>Unknown to (Unknown)</b>	<b>Unknown to (Unknown)</b>	<b>Unknown to (Unknown)</b>

\* Reallocation of funds and FTE nets to zero.

Numbers within parentheses: ( ) indicate costs or losses. This fiscal note contains 108 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>				
<b>FUND AFFECTED</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>Fully Implemented (FY 2038)</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</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 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>Fully Implemented (FY 2038)</b>
General Revenue	Up to 6 or 7 FTE	Up to 6 or 7 FTE	Up to 4 or 5 FTE	Up to 4 or 5 FTE
Department of Public Safety*	-509.05 FTE	-509.05 FTE	-509.05 FTE	-509.05 FTE
Department of the Defense*	469.05 FTE	469.05 FTE	469.05 FTE	469.05 FTE
Department of the Defense (new)	Could exceed 2 FTE	Could exceed 2 FTE	Could exceed 2 FTE	Could exceed 2 FTE
Capitol Police Board*	40 FTE	40 FTE	40 FTE	40 FTE
<b>Total Estimated Net Effect on FTE</b>	<b>Could exceed 8 or 9 FTE</b>	<b>Could exceed 8 or 9 FTE</b>	<b>Could exceed 7 or 7 FTE</b>	<b>Could exceed 6 or 7 FTE</b>

\* Reallocation of FTE nets to zero.

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 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>Fully Implemented (FY 2038)</b>
<b>Local Government</b>	<b>Unknown to (Unknown)</b>	<b>Unknown to (Unknown)</b>	<b>Unknown to (Unknown)</b>	<b>Unknown to (Unknown)</b>

**FISCAL ANALYSIS**

**ASSUMPTION**

Due to time constraints, **Oversight** was unable to receive some of the agency responses in a timely manner and performed limited analysis. Oversight has presented this fiscal note on the best current information that we have or on information regarding a similar bill(s). Upon the receipt of agency responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval of the chairperson of the Joint Committee on Legislative Research to publish a new fiscal note.

**§§8.010, 8.111, 8.170, 8.172, 8.177, and 8.178**

Officials from the **Department of Public Safety - Capitol Police (CP)** state the transfer from the Department of Public Safety to the "Capitol Police Board" will incur a fiscal impact to the Capitol Police. Costs associated with the reorganization is for the replacement of uniforms, department logos, and department patches. The potential transfer would require Capitol Police to replace all uniform and equipment items that display our current department logo. The words "Department of Public Safety" would be removed from all uniforms and vehicles that display the old department patch/logo/decals. The redesign of CP's department logo would have to reflect the reorganization from under DPS to the "Capitol Police Board."

ASSUMPTION (continued)

Under the proposed legislation, Capitol Police does not see a need to increase its current number of full-time employees (FTE) to complete its mission at this time. If this bill should pass, Capitol Police would request additional funding to cover the initial cost for replacement uniforms, redesign of a department patch, and vehicle decal.

Capitol Police will incur costs associated with outfitting 34 officers with new uniform shirts and winter coats with the new department patch. The purchase of new uniform shirts and winter coats are due to the possible redesign of our department patch to remove the words "Department of Public Safety" inscribed on the upper portion of the CP's patch/logo/decals.

Each uniformed member of Capitol Police receives two (2) long sleeve and two (2) short sleeve shirts, which equates to 136 shirts (34\*2\*2), each requiring replacement patches. Our winter coats (a total of 34) have an outer shell and an inner liner that also functions as a jacket. Winter coats require six (6) patches in all, two (2) department patches, and one (1) police badge on the outer shell and the same for the inner liner jacket.

To remove and replace all department patches at one-time would be difficult and costly. The redesigned patch may not cover the old stitching leaving small holes in the uniform item and some residual binding adhesive. The uniform may also become damaged during the removal process requiring the purchase of a new uniform item. It would also be difficult for an alterations shop to remove and replace all department patches and provide quality service within a specific time frame. It is more efficient and practical to purchase new shirts, and winter coats with the redesigned patch sewn on by a police uniform vendor. Total uniform replacement cost is estimated at \$21,652.

ASSUMPTION (continued)

Capitol Police will need to replace all vehicle decals displayed on five (5) of our six (6) police vehicles as they also display the words "Department of Public Safety" in the upper portion of the decal. CP estimates the cost to replace vehicle decals to be approximately \$7,000.

Uniform and equipment items needed for the proposed reorganization has an initial cost of \$28,652. CP does not foresee any ongoing cost after the first year as uniform items will be replaced as needed within our appropriated budget.

The following equipment items and costs will be considered a one-time expense:

Vehicle/office emblems	\$700 per emblem x 10	=	\$7,000
Long-sleeve police uniform shirts	\$78 per shirt x 68 shirts	=	\$5,304
Short-sleeve police uniform shirt	\$66 per shirt x 68 shirts	=	\$4,488
1,000 replacement uniform patches	\$2 per patch x 1,000	=	\$2,000
Replacement of winter coat	\$290 per coat x 34 coats	=	<u>\$9,860</u>
Total costs			\$28,652

Capitol Police consulted with the Office of Administration/Information and Technology Systems Division (OA/ITSD) to determine technology-related costs associated with the bill. At this time, it is unknown which ITSD section (House or OA) would provide services to Capitol Police.

**Oversight** notes the one-time costs as outlined by Capitol Police to replace existing emblems, department patches, uniforms, vehicle and office emblems that would need to be replaced to reflect the name change. Additionally, Oversight notes OA/ITSD is unable to provide an estimate of the cost associated with moving the information and programs from the Department of Public Safety to a new server under the Board. Oversight will reflect CP's impact as (\$28,652 to Unknown) for fiscal note purposes.

**Oversight** notes this proposal would transfer the Capitol Police from the Department of Public Safety to the Capitol Police Board. The Capitol Police has been the primary law enforcement agency for the 72-acre state office building campus known as the Capitol Complex since 1983. Officers patrol the buildings and grounds in their jurisdiction 24 hours a day, seven days a week. Patrols are made on foot, by vehicle and on a bicycle. Criminal investigations, medical emergencies, traffic accidents, security and fire alarms and security escorts are only a few of the many incidents and calls for service officers provide to over 15,000 state employees and over 200,000 annual visitors to the seat of government. Using the Governor's Executive Budget recommendation for FY 2021, Oversight will show a transfer of \$1,805,953 and 40 FTE from the Department of Public Safety to the Capitol Police Board.

ASSUMPTION (continued)

Officials from the **Missouri House of Representatives (MHR)** state one (1) Human Resource Analyst II at an annual salary of \$46,000 would be needed to support the human resources, budget and reporting needs of the Capitol Police Board. The MHR states they have not included costs for operations that are currently located in HB 8 (DPS). It is unclear which budget bill and department the Capitol Police's operating appropriations would fall under. If their budget would fall under the House purview, MHR presumes there would be an increase to the House budget equal to the decrease to DPS's budget to accomplish the reallocation. This is not shown in our fiscal response.

Oversight does not have any information contrary to that provided by MHR. Therefore, Oversight will reflect MHR's impact for fiscal note purposes.

In response to a previous version, 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 \$5,000. 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.

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 require additional resources.

In response to a similar proposal (HB 1521), officials from the Governor's Office (GOV) stated section 8.111 establishes the "Capitol Police Board" which will consist of five members: the Governor or their designee, the Speaker of the House of Representatives or their designee, the President pro tempore of the Senate or their designee, the Chief Justice of the Missouri Supreme Court or their designee, and the chair of the State Capitol Commission. There should be no added cost to the Governor's Office as a result of this measure.

Officials from the **Office of Administration - Facility Management Design and Construction (FMDC)** state FMDC currently pays for security services at multiple facilities statewide. FMDC's three-year average cost (2017 – 2019) for security services was \$920,490. FMDC assumes this cost would be transferred to the Capitol Police Board. Therefore, there would be a potential savings to FMDC as a result of this bill. However, the overall impact to the state would be \$0.



ASSUMPTION (continued)

**Oversight** notes §8.115 was removed from this proposal; therefore, the expense of security services as noted in OA/FMDC's response at a three-year average cost of \$920,490 will remain with OA/FMDC and will not transfer to the Capitol Police Board.

In response to a previous version, officials from the **Office of Administration - Budget and Planning (B&P)** stated this proposal has no direct impact on B&P, has no direct impact on general and total state revenues and will not impact the calculation pursuant to Art. X, Sec. 18(e).

**Oversight** notes that the **Missouri Senate** anticipates a negative fiscal impact to reimburse for travel to attend meetings of the Capitol Police Board. As written, the bill does not allow for reimbursement to attend board meetings. However, it's possible the Senator will seek reimbursement to attend meetings. If reimbursement were allowed, the cost to the Senate would be approximately \$110.50 per board meeting.

**Oversight** notes the proposal does not allow for reimbursement to attend board meetings. Therefore, Oversight will present a zero impact in the fiscal note for the Missouri Senate.

§32.056

In response to a similar proposal (HB 1418), officials at the **Department of Revenue (DOR)** assumed the following regarding this proposal:

Includes a person employed by the Missouri Department of Corrections, any jailer of corrections of the State, or any political subdivision of the State to provisions related to the restricted release by the Department of information contained in the Departments motor vehicle or driver registration records.

Administrative Impact

Missouri Department of Corrections has a total of 10,228 employees that would fall into this proposed legislation which will result in an increase of confidential record transactions processed by the Department by an estimated 20,456 records. DOR notes jailers were considered in their response as well.

The average time it takes to process a new or renewal application is approximately ten minutes. At 21 working days a month (168 working hours per month), one FTE can process 12,096 per year. With the increased phone calls, correspondence, and applications, the Department will require 2 additional FTE to process the increase in confidential record transactions, and 1 FTE to

ASSUMPTION (continued)

handle the anticipated increase in incoming phone calls.

To implement the proposed legislation, the Motor Vehicle Bureau will be required to:

- Increase FTE by 3
- Update procedures, forms, correspondence letters, and the Department website; and
- Train staff.

FY 2020 - Motor Vehicle Bureau

Revenue Processing Tech II	3 FTE @ \$30,504.00	= \$91,512
Management Analysis Spec I	120 hrs. @ \$18.42 per hr.	= \$ 2,210
Revenue Manager	20 hrs. @ \$20.59 per hr.	= \$ 412
Total		= \$94,134

FY 2020 - Personnel Services Bureau

Administrative Analyst III	30 hrs. @ \$19.43 per hr.	= \$ 583
Management Analysis Spec I	15 hrs. @ \$18.42 per hr.	= \$ 276
Total		= \$ 859

**Total Cost** = **\$94,993**

**Oversight** inquired of DOR in regards to the 20,456 transaction records. DOR stated these transactions are in addition to any transactions that are currently being completed for renewing motor vehicle and license records for the individuals noted in this proposal. In addition, DOR also stated 20,456 is the estimated maximum number of new transactions that would occur due to this proposal. Oversight notes this proposal also includes jailers of “any political subdivision of the state.” Therefore, **Oversight** will range the fiscal impact of this proposal as up to \$152,511 in FY 2021, \$158,826 in FY 2022 and \$160,085 in FY 2023 (up to 3 FTE required).

**DOR** notes the 3 FTE would be required on a continuous basis due to not all applications being processed in the first year and renewals in subsequent years.

In response to a similar proposal (HB 1418), officials from the **Department of Corrections** and the **Department of Public Safety - Missouri Highway Patrol** each assumed the proposal will have no fiscal impact on their respective organizations.

**Oversight** notes that the agencies mentioned above have 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.

ASSUMPTION (continued)

§§40.003, 41.005, 45.010, 45.020, 45.030, 650.005

Officials from the **Department of Public Safety - Missouri National Guard (MNG)** believed there is a potential fiscal impact of \$150,000 - \$200,000 to our personal services. This potential impact would cause reorganizing into a department structure which would create Division Directors, a Deputy Director and Department Director. The unknown at this time is our ability to pay a percentage of certain employees with federal money depending on their funding source and involvement with military missions.

**Oversight** notes the concerns of the MNG and realizes with a restructure new duties and pay ranges may be established or affected. Therefore, Oversight will reflect a cost of \$0 or Could exceed (\$200,000) to the DOD's budget for additional salaries (including fringe benefits) as well as other department-specific personnel that may be required (budget, general counsel, etc.) by creating another department.

In response to a previous version, officials from the **Office of Administration - Budget and Planning (B&P)** stated this proposal has no direct impact on B&P, has no direct impact on general and total state revenues and will not impact the calculation pursuant to Art. X, Sec. 18(e).

In response to a similar proposal (HCS HB 2209), 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 years legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$5,000. 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.

**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 require additional resources.

In response to a similar proposal (HCS HB 2209), officials from the **Office of Administration - General Services (OA/GS)** stated if the creation of a Department of Defense and the other changes are interpreted to increase the number of people covered by state workers' compensation

benefits and the Legal Expense Fund, then there could be an increase in costs to the state for workers' compensation benefits and costs to the LEF, if claims are successfully brought.

ASSUMPTION (continued)

The number of potential claims, the severity of those claims, and the ultimate costs associated with any settlement or judgment resulting from those claims cannot be forecasted with any degree of assurance to their accuracy.

The state self-assumes its own liability for workers' compensation benefits and under the state Legal Expense Fund, Section 105.711, RSMo. The LEF is a self-funding mechanism whereby funds are made available for the payment of any claim or judgment rendered against the state in regard to the waivers of sovereign immunity or against employees and specified and individuals. Investigation, defense, negotiation or settlement of such claims is provided by the Office of the Attorney General. Payment is made by the Commissioner of Administration with the approval of the Attorney General.

**Oversight** assumes the new personnel caused by creating a new department would not materially change the number of people covered by state workers' compensation benefits would have no fiscal impact upon the OA/GS and will reflect a zero impact for fiscal note purposes.

In response to a similar proposal (HCS HB 2209), officials from the **Governor's Office** stated this proposal creates the "Department of Defense" and grants authority to the Governor to appoint a director, by and with advice and consent of the senate. There should be no added cost to the Governor's Office as a result of this measure.

**Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note for this agency.

In response to a similar proposal (HB 2209), officials from the **Office of Administration - Divisions of Accounting, Personnel, ITSD, and Purchasing** have each stated the proposal would not have a direct fiscal impact on their respective organizations.

**Oversight** notes the **Department of Public Safety** and the **Missouri Senate** have each stated the proposal would not have a direct fiscal impact on their respective organizations.

**Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Oversight will range the fiscal impact of the transfer from \$0 (joint resolution is rejected by the voters) or to the annual appropriation for the Department of Public Safety - Office of the

Adjutant General.

ASSUMPTION (continued)

According to HB 8 (2019), the total amount appropriated to the Office of the Adjutant General for FY 2020, by fund is:

General Revenue	\$7,904,523
Missouri National Guard Trust Fund	\$5,275,256
Federal Drug Seizure Fund	\$240,000
Veterans' Commission Capital Improvement Trust Fund	\$635,628
Federal Funds	\$30,388,904
Adjutant General Revolving Fund	\$25,000
Missouri Military Family Relief Fund	\$150,000
National Guard Training Site Fund	\$351,436
<b>Total</b>	<b>\$44,970,747</b>

Since the transfer would be effective January 1, 2021, Oversight will reflect six months of impact in FY 2021.

§67.142

In response to a similar proposal (HCS HB Nos. 2241 & 2244), officials at the **City of Springfield** assumed a negative impact from this proposal. Currently, the City has heightened ownership requirements for pit bulls, including registration, muzzling while not on owners' property, and posting a sign on the property. The City would lose approximately \$25,000 in registration fees annually, and there may be additional unquantifiable costs related to animal control issues.

In response to a similar proposal (HCS HB Nos. 2241 & 2244), officials at the **Department of Agriculture** assumed no fiscal impact from this proposal.

In response to a similar proposal (HCS HB Nos. 2241 & 2244), officials at the **City of Columbia** assumed no fiscal impact to their respective entities from this proposal.

In response to a previous version (HB 2241), officials at the **City of Brentwood** assumed no fiscal impact to their entity from this proposal.

**Oversight** notes there are several cities with ordinances in place regarding registration, proper confinement and the posting of signs for certain breeds of dogs. Such cities include Springfield, Liberty, Independence, Florissant, Ferguson and Carthage Missouri. Oversight is unclear on how

ASSUMPTION (continued)

much the cities charge for registration and how many dogs are registered in those cities. Oversight assumes that should this proposal be enacted, registration fees in those cities and possibly others not listed could be eliminated from the cities revenue. Therefore, Oversight will reflect a \$0 or unknown, greater than \$25,000 negative impact to local political subdivision for this proposal.

§§71.201 and 84.344

In response to a similar proposal (HCS HB 1604), officials at the **Missouri Highway Patrol** assumed no fiscal impact from this proposal.

Officials from the **City of Columbia** state section 71.201 requires police officers to live within a 30 mile radius of the community, thereby requiring a more stringent standard than the bill proposes. While it is not possible to accurately estimate the fiscal impact of extending that radius, considerations include the cost of a longer time to respond to violent, critical and other emergency situations.

**Oversight** notes section 71.201 pertains to police departments in St. Louis and Kansas City per the statutes listed (84.020 and 84.350). Therefore, Oversight will reflect a zero impact on the fiscal note for this agency.

In response to a similar proposal (HCS HB 1604), officials at the **City of Kansas City**, the **City of Brentwood**, the **City of O'Fallon**, the **Springfield Police Department** and the **St. Louis County Police Department** each assumed no fiscal impact to their respective entities from this proposal.

In response to a previous version (HB 1604), officials at **St. Louis City** stated the Fiscal Manager of the St. Louis Metropolitan Police Department assumes no measurable fiscal impact from the passage of this legislation.

**Oversight** does not have any information to the contrary. Therefore, Oversight assumes no direct fiscal impact to local political subdivisions from this proposal.

§§94.900 and 94.902

In response to a previous version, officials at the **Office of Administration's Division of Budget and Planning (B&P)** assumed this proposal allows the cities of Clinton in Henry County, and Cole Camp and Lincoln in Benton County to impose a public safety sales tax of 0.25%, 0.5%, 0.75% or 1%. The impact of this will depend upon the sales tax rate the cities select. The charts below show the DOR collections fees and sales tax collections each city may generate based

ASSUMPTION (continued)

upon each tax rate:

<b>0.25%</b>	<b>DOR Collections</b>			<b>Sales Tax Collections Data</b>		
<b>City</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>
Clinton	1,135	4,539	4,539	112,339	449,356	449,356
Cole Camp	93	373	373	9,222	36,888	36,888
Lincoln	58	230	230	5,699	22,796	22,796
	<b>1,286</b>	<b>5,142</b>	<b>5,142</b>	<b>127,260</b>	<b>509,040</b>	<b>509,040</b>
<b>0.50%</b>	<b>DOR Collections</b>			<b>Sales Tax Collections Data</b>		
<b>City</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>
Clinton	2,269	9,078	9,078	224,678	898,712	898,712
Cole Camp	186	745	745	18,444	73,776	73,776
Lincoln	115	461	461	11,398	45,591	45,591
	<b>2,570</b>	<b>10,284</b>	<b>10,284</b>	<b>254,520</b>	<b>1,018,079</b>	<b>1,018,079</b>
<b>0.75%</b>	<b>DOR Collections</b>			<b>Sales Tax Collections Data</b>		
<b>City</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>
Clinton	3,404	13,617	13,617	337,017	1,348,068	1,348,068
Cole Camp	279	1,118	1,118	27,666	110,664	110,664
Lincoln	173	691	691	17,097	68,387	68,387
	<b>3,856</b>	<b>15,426</b>	<b>15,426</b>	<b>381,780</b>	<b>1,527,119</b>	<b>1,527,119</b>
<b>1.00%</b>	<b>DOR Collections</b>			<b>Sales Tax Collections Data</b>		
<b>City</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>
Clinton	4,539	18,156	18,156	449,356	1,797,424	1,797,424
Cole Camp	373	1,490	1,490	36,888	147,552	147,552
Lincoln	230	921	921	22,796	91,183	92,183
	<b>5,142</b>	<b>20,567</b>	<b>20,567</b>	<b>509,040</b>	<b>2,036,159</b>	<b>2,037,159</b>

Since the bill indicates that this sales tax would take effect starting April 1, only Q4 of FY21 sales collections would be impacted with the full year collection amounts generated in FY22 and FY23.

As a voter-approved tax, the collected revenues will not impact general and total state revenues; however, DOR will retain 1% to offset collection costs. Therefore, this portion could increase general and total state revenues by the DOR fee amounts shown in the charts above.

In response to a similar proposal (HCS HB Nos. 2241 & 2244), Budget and Planning deferred to DOR for more specific estimates of actual collection costs.

ASSUMPTION (continued)

In response to a previous version (HB 2241), officials at the **Department of Revenue (DOR)** assumed this proposal would allow any city of the third classification with more than nine thousand but fewer than ten thousand inhabitants and located in any county of the third classification with a township form of government and with more than twenty thousand but fewer than twenty-three thousand inhabitants to implement a sales tax for public safety. DOR believes the only City to qualify under this description is the City of Clinton.

Additionally, this proposal would allow any city of the fourth classification with more than one thousand fifty but fewer than one thousand two-hundred inhabitants and located in any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the fourth classification with more than two thousand one hundred but fewer than two thousand four hundred inhabitants as the county seat to also implement a sales tax for public safety. DOR believes this would apply to the City of Lincoln and the City of Cole Camp.

The sales tax may be imposed in an amount of up to one-fourth, one-half, three-fourths, or one percent. The tax shall be imposed solely for the purpose of improving the public safety.

DOR shows that the **City of Clinton** has taxable sales of:

CY	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Total
2015	40,147,895	44,618,974	44,443,717	44,037,435	173,248,021
2016	41,389,150	45,465,065	45,533,177	44,893,260	177,280,651
2017	40,038,915	47,066,194	45,477,582	43,884,475	176,467,167
2018	40,961,939	47,940,212	46,462,280	46,505,858	181,870,288
2019	41,173,575	47,416,316			
Source: <a href="http://dor.mo.gov/publicreports/">http://dor.mo.gov/publicreports/</a>					
Sales Tax only (no use tax)					
DOR reports are generated by calendar year not fiscal year					
City of Clinton Taxable Sales Report Data					



ASSUMPTION (continued)

Using the taxable sales and a 2% inflation rate in the future, DOR calculated the amount DOR would collect and the City of Clinton would collect as:

Clinton		1/4 of 1% Tax		1/2 of 1% Tax		3/4 of 1% Tax		1% Tax	
Fiscal Year	DOR 1% Fee	Clinton County Collection	DOR 1% Fee	Clinton County Collection	DOR 1% Fee	Clinton County Collection	DOR 1% Fee	Clinton County Collection	
2021	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
2022	\$3,618	\$358,180	\$7,236	\$716,360	10,854	1,074,540	\$14,472	\$1,432,720	
2023	\$4,920	\$487,125	\$9,841	\$974,250	14,761	1,461,374	\$19,682	\$1,948,499	

DOR notes that this proposal would become effective on August 28, 2020, and the first election would be the April 6, 2021, election. Therefore, this will not have a fiscal impact in FY 2021. This sales tax would begin October 1, 2021 (FY 2022) if adopted by the voters. Therefore, the impact in FY 2022 would be for 9 months.

DOR shows that the **City of Lincoln** has taxable sales of:

CY	Jan-Mar	Apr-Jun	July-Sept	Oct-Dec	Total
2015	2,124,060	2,412,496	2,368,178	2,014,074	8,918,808
2016	2,138,130	2,369,529	2,437,892	2,142,464	9,088,015
2017	2,177,513	2,602,875	2,547,296	2,120,049	9,447,733
2018	2,444,106	2,542,249	2,617,362	2,318,717	9,922,434
2019	2,030,154	2,244,162			

Source: <http://dor.mo.gov/publicreports/>  
 Sales Tax only (no use tax)  
 DOR reports are generated by calendar year not fiscal year  
 City of Lincoln Taxable Sales Report Data

Using the taxable sales and a 2% inflation rate in the future, DOR calculated the amount DOR would collect and the City of Lincoln would collect as:

ASSUMPTION (continued)

Lincoln								
	1/4 of 1% Tax		1/2 of 1% Tax		3/4 of 1% Tax		1% Tax	
Fiscal Year	DOR 1% Fee	Lincoln County Collection	DOR 1% Fee	Lincoln County Collection	DOR 1% Fee	Lincoln County Collection	DOR 1% Fee	Lincoln County Collection
2021	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
2022	\$196	\$19,397	392	38,794	588	58,191	\$784	\$77,587
2023	\$266	\$26,380	533	52,759	799	79,139	\$1,066	\$105,519

DOR notes that this proposal would become effective on August 28, 2020, and the first election would be the April 6, 2021 election. Therefore, this will not have a fiscal impact in FY 2021. This sales tax would begin October 1, 2021, (FY 2022) if adopted by the voters. Therefore, the impact in FY 2022 would be for 9 months.

DOR shows that the **City of Cole Camp** has taxable sales of:

CY	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Total
2015	3,229,113	3,002,081	3,402,238	3,196,016	12,829,447
2016	3,095,340	3,003,988	3,225,042	3,279,187	12,603,558
2017	3,081,084	2,956,959	3,249,944	3,360,607	12,623,994
2018	3,278,248	3,220,758	3,474,064	4,684,461	14,657,531
2019	3,243,595	3,502,112			

Source: <http://dor.mo.gov/publicreports/>

Sales Tax only (no use tax)	
DOR reports are generated by calendar year not fiscal year	
City of Cole Camp Taxable Sales Report Data	

Using the taxable sales and a 2% inflation rate in

the future, DOR calculated the amount DOR would collect and the City of Cole Camp would collect as:

Cole Camp								
	1/4 of 1% Tax		1/2 of 1% Tax		3/4 of 1% Tax		1% Tax	
Fiscal Year	DOR 1% Fee	Cole Camp County Collection	DOR 1% Fee	Cole Camp County Collection	DOR 1% Fee	Cole Camp County Collection	DOR 1% Fee	Cole Camp County Collection
2021	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
2022	\$266	\$26,341	\$532	\$52,681	798	79,022	\$1,064	\$105,362
2023	\$362	\$35,823	\$724	\$71,646	1,086	107,470	\$1,447	\$143,293

ASSUMPTION (continued)

DOR notes that this proposal would become effective on August 28, 2020, and the first election would be the April 6, 2021, election. Therefore, this will not have a fiscal impact in FY 2021. This sales tax would begin October 1, 2021 (FY 2022) if adopted by the voters. Therefore, the impact in FY 2022 would be for 9 months.

In response to a similar proposal (HCS HB 1701), officials at the **City of Clinton** assumed, based on financial data from FY 18-19, the City would expect to generate annual revenues of \$950,000 based on a one-half percent sales tax.

In response to a similar proposal (HCS HB 1701), officials at the **City of Branson West** assumed if the Board of Alderman of the City decides to approve the tax at half a percent and it is passed, the approximate revenue that will be brought in is \$500,000 annually.

**Oversight** has calculated those cities within this proposal as follows:

Taxable Sales by City

	CY 19 Taxable Sales Tax Jan- Mar	CY 19 Taxable Sales Tax Apr- Jun	CY 18 Taxable Sales Tax Jul- Sept	CY 18 Taxable Sales Tax Oct- Dec	Total FY 19 Taxable Sales Tax
Branson West	19,962,599	27,108,143	27,300,134	24,081,341	98,452,217
Claycomo	6,300,774	6,332,614	5,959,771	6,450,921	25,044,080
Clinton	41,173,575	47,416,316	46,462,280	46,505,858	181,558,029
Cole Camp	3,243,595	3,502,112	3,474,064	4,684,461	14,904,232
Hallsville	2,272,117	2,266,564	2,156,592	2,249,081	8,944,353
Kearney	30,832,259	34,565,728	33,602,628	32,563,846	131,564,461
Lincoln	2,030,154	2,244,162	2,617,362	2,318,717	9,210,395
Smithville	18,956,527	22,859,235	22,213,205	20,463,774	84,492,740
	124,771,599	146,294,873	143,786,036	139,317,998	554,170,507

ASSUMPTION (continued)

2% Growth each year based on FY 19 Taxable Sales Tax

	2% Growth for FY 20 Taxable Sales	2% Growth for FY 21 Taxable Sales	2% Growth for FY 22 Taxable Sales	2% Growth for FY 23 Taxable Sales
Branson West	100,421,261	102,429,686	104,478,280	106,567,846
Claycomo	25,544,962	26,055,861	26,576,978	27,108,518
Clinton	185,189,190	188,892,974	192,670,833	196,524,250
Cole Camp	15,202,317	15,506,363	15,816,490	16,132,820
Hallsville	9,123,240	9,305,705	9,491,819	9,681,656
Kearney	134,195,750	136,879,665	139,617,258	142,409,603
Lincoln	9,394,603	9,582,495	9,774,145	9,969,627
Smithville	86,182,595	87,906,247	89,664,372	91,457,659
	565,253,917	576,558,995	588,090,175	599,851,979

**Oversight** notes that this version of the proposal is based on a half-percent sales tax for the cities. Therefore, Oversight has generated those totals below based on the 2% growth in sales tax per year above.

ASSUMPTION (continued)

Half-Percent Revenue Generated for each City

	.5% Revenue for FY 21	.5% Revenue for FY 22	.5% Revenue for (12 mo) FY 22	.5% Revenue for (8 mo)	.5% Revenue for FY 23
Branson	-	-	522,391	348,261	532,839
West Claycomo	-	-	132,885	88,590	135,543
Clinton	-	-	963,354	642,236	982,621
Cole Camp	-	-	79,082	52,722	80,664
Hallsville	-	-	47,459	31,639	48,408
Kearney	-	-	698,086	465,391	712,048
Lincoln	-	-	48,871	32,580	49,848
Smithville	-	-	448,322	298,881	457,288
			2,940,451	1,960,301	2,999,260

**Oversight** notes while the cities within this proposal could start to generate sale tax revenue beginning October 1, 2021, the reporting will not occur until 1 month later. Therefore, Oversight will range the fiscal impact from \$0 (not approved by voters) the estimates calculated by Oversight for 8 months in FY 22. FY 23 will reflect a full year of sales tax revenue for this proposal.

§160.665

In response to a similar proposal (HCS HB 1961), officials from the **Department of Public Safety - Missouri State Highway Patrol** assumed this proposal will have no direct fiscal impact on their agency.

Officials from the **Department of Elementary and Secondary Education** assume this proposal will likely have an impact on local school districts. We defer to them regarding the extent of any impact.

ASSUMPTION (continued)

In response to a similar proposal (HCS HB 1961), officials from **Gasconade County R-I School District** assumed the cost associated with each person being trained to be a school protection officers would be \$10,000 or more. A district would want to have at least one person trained per building so if you have 3 buildings you would have \$30,000 or more in cost for training.

We would want to give a stipend officer in some way since there will be time used outside of regular contracts. Would look at around \$1,000 per individual?

Officials from **Wellsville Middletown R-I School District** state our board has shown no inclination to allow for school protection officers or a person of any other designation that would allow any person who is not a law enforcement officer to carry firearms in our school. I don't believe this bill will currently have any fiscal impact on our school.

**Oversight** assumes that because this bill permits, but does not require additional school resource officers, that it will have no direct fiscal impact on state agencies and that fiscal impacts on school districts will be at the discretion of the school districts.

§168.133

**Department of Elementary and Secondary Education (DESE)** officials assume this proposal would have no fiscal impact on their organization.

**Department of Public Safety - Missouri State Highway Patrol (MHP)** officials state the Department of Elementary and Secondary Education anticipates that this legislation would impact a relatively low number of individuals totaling approximately 100 applicants per year equaling \$2,200 deposited in the Criminal Record System Fund annually.

100 applicants x \$22.00 = \$2,200 deposited in the Criminal Record System Fund annually.

The cost for a state and federal fingerprint based criminal record check is \$33.25, per request. The state portion of the record check fee is \$20.00 and the federal portion is \$13.25. If the submitting agency chooses to utilize the state fingerprint services vendor, then an additional \$8.50 is charged by the vendor for this service. Thus, the fee breakdown per request is as follows:

State Fee: \$20.00  
Federal Fee: \$13.25  
**Total (State and Federal Fee) \$33.25**  
Total (State, Federal and vendor fee): \$41.75

ASSUMPTION (continued)

The total amount retained in the Criminal Record System Fund after paying the FBI is \$22.00 per request. This equals \$20.00 for the state fee, pursuant to Section 43.530, and \$2.00 of the federal fee, pursuant to 28 CFR 20.31(e) (2) and the current fee schedule as posted in the Federal Register.

The amendment would require technical system changes to be completed by the MSHP's Criminal History vendor at an estimated cost of \$165,000, based on previous projects with a similar scope of work and utilizing one of our vendors. The required changes would be based on the functionality of the system and the registration process. Allowing multiple registrations changes the functionality as well as how the coding and the system work. The changes are approximated to be effective January 1, 2022.

There are 560 public school districts, and the initial registration is already law. The Patrol assumes each additional registration costs \$5.00. Based on the estimation of 5 substitutes per district utilizing the additional registration option, this would equate to 2,800 substitutes. The following is the estimated fiscal impact based on the above 2,800 substitutes utilizing the extra registrations:

1 extra registration at  $\$5.00 \times 2,800 = \$14,000$   
2 extra registrations at  $\$10.00 \times 2,800 = \$28,000$   
3 extra registrations at  $\$15.00 \times 2,800 = \$42,000$   
4 extra registrations at  $\$20.00 \times 2,800 = \$56,000$

**Oversight** assumes this proposal could reduce the number of initial background checks if some substitutes utilize the additional registration option rather than getting another background check. This would potentially be a net loss of \$15 per additional registration (\$20 state fee - \$5 additional registration fee).

Alternatively, **Oversight** assumes this proposal could induce substitute teachers to use the additional registration option who otherwise would have not had substituted for more than one school district. This would potentially be a gain of revenue for each additional registration.

**Oversight** cannot estimate the number of background checks that would no longer be needed or the number of substitutes who utilize the additional registration option. Therefore, Oversight will show a Could exceed \$165,000 loss to an unknown gain in revenue for the Criminal Records Systems Fund and a corresponding savings or costs to school districts in the implementation year, and unknown loss to unknown gain in the following years.

ASSUMPTION (continued)

**Oversight** received a no responses from school districts related to the fiscal impact of this proposal. Oversight has presented this fiscal note on the best current information available.

Upon the receipt of additional responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval to publish a new fiscal note.

**Oversight** only reflects the responses that we have received from state agencies and political subdivisions; however, school districts were requested to respond to this proposed legislation but did not. A general listing of political subdivisions included in our database is available upon request.

**Oversight** notes if school districts must perform background checks on adult students not counted for purposes of average daily attendance, the Criminal Record System Fund (0671) income would increase \$2,200 (using the estimate given by the MHP) and school districts cost would increase \$4,175 (100 x \$41.75).

§§173.2700, 173.2703, 173.2706, 173.2709, 173.2712

Officials from the **Department of Revenue -Motor Vehicle (DOR)** assume the proposed legislation establishes the "Private College Campus Protection Act" which allows any private college or university to appoint and employ college or university police officers. These officers will have the authority to enforce regulations established by the governing board of such college or university to control traffic on any thoroughfare owned or maintained by the college or university.

Administrative Impact:

The proposed legislation allowing a private college or university to appoint officers to enforce regulations established to control traffic on any thoroughfare owned or maintained by the college or university will result in an increase in the number of traffic convictions received and processed by the Department.

The Department is unable to find data that would help us determine how significant that increase will be, but assumes it will be minimal enough to not require additional FTE and cause no impact.

**Oversight** notes DOR processed 561,645 total traffic convictions in FY 2018. DOR indicated a Revenue Processing Tech I can process an estimated 340 convictions a day at a salary of \$11.71 per hour for approximately \$0.30 per conviction processed.



ASSUMPTION (continued)

**Oversight** notes, the issuance of a traffic violation ticket would result in a fine, of which \$20.50 goes to fine revenue and the remaining amount goes to various state and local funds for court costs. However, all fines may not have been paid (for example, the court could have dismissed the ticket or set the fine at a different amount).

In response to a similar proposal (HB 1282), officials from the **Department of Public Safety - Office of the Director** assumed the proposal would have no fiscal impact on their organization.

**Oversight** does not know how many tickets may be issued as a result of this proposed legislation. However, it would take over 1,000 tickets to be issued to reach \$100,000 in fine and court cost revenue. Oversight will reflect a potential amount of revenue to the state and local political subdivisions of "Less than \$100,000" per year from this charge.

Additional fine revenue received by local school districts may count as a deduction in the following year in determining their state aid apportionment, if the district is not a 'hold harmless' district. For simplicity, Oversight will only reflect the increase in fine revenue as a positive impact to local political subdivisions.

Below are examples of some of the state and local funds which court costs are distributed to.

<b>Fee/Fund Name</b>	<b>Fee Amount</b>
Basic Civil Legal Services Fund	\$8.00
Clerk Fee	\$15.00 (\$12 State/\$3 County)
County Fee	\$25.00
State Court Automation Fund	\$7.00
Crime Victims' Compensation Fund	\$7.50
DNA Profiling Analysis Fund	\$15.00
Peace Officer Standards and Training (POST) Fund	\$1.00
Sheriff's Retirement Fund	\$3.00
Motorcycle Safety Trust Fund	\$1.00
Brain Injury Fund	\$2.00

Independent Living Center Fund	\$1.00
Sheriff's Fee	\$10.00 (County)
Prosecuting Attorney and Circuit Attorney Training Fund	\$4.00
Prosecuting Attorney Training Fund	\$1.00 (\$0.50 State/\$0.50 County)
Spinal Cord Injury Fund	\$2.00

According to information on the Department of Higher Education website, in Missouri, there are approximately 11 specialized/technical colleges, 24 independent four-year colleges and universities, and 17 theological institutions. **Oversight** assumes College of the Ozarks currently meets the criteria set forth in the bill, but is uncertain if other institutions may meet the criteria. Additionally, Oversight is uncertain regarding the legal framework of how this would be implemented.

Officials from the **Department of Revenue - Motor Vehicle** and the **Department of Public Safety - Office of the Director** each assumed the proposal would have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact for their respective organizations.

§§190.094, 190.100, 190.105, 190.143, and 190.196

In response to a similar proposal (HCS HB 2125), officials at the **Department of Health and Senior Services** assume no fiscal impact to their respective agencies from this proposal.

In response to a previous version (HB 2125), officials at the **University of Missouri Health Care** assumed no fiscal impact from this proposal.

**Oversight** notes this proposal permits physician assistants and assistant physicians to serve as staff on ambulances and exempts them from any mileage requirements and requirements to hold an emergency medical technician's license. The proposal also adds physician assistants and assistant physicians to those who may supervise someone with a temporary emergency medical technician license. The Department of Health and Senior Services, the Department of Labor and Industrial Relations and the University of Missouri Health Care have each stated the proposal would not have a direct fiscal impact on their respective organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note.

ASSUMPTION (continued)

§191.255

Officials from the **Department of Corrections (DOC)** state this legislation creates a class E felony offense for sharing information of persons who have applied for or obtained a medical marijuana card to federal agencies and third parties.

For each new nonviolent class E felony, the department estimates one person will be sentenced to prison and two to probation. The average sentence for a nonviolent class E felony offense is 3.4 years of which, 2.1 years will be served in prison with 1.4 years to first release. The remaining 1.3 years will be on parole. Probation sentences will be 3 years.

The cumulative impact on the Department is estimated to be two additional offenders in prison and seven on field supervision by FY2023.

Change in prison admissions and probation openings with legislation

	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030
<b>New Admissions</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	1	1	1	1	1	1	1	1	1	1
<b>Probation</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	2	2	2	2	2	2	2	2	2	2
<b>Change (After Legislation - Current Law)</b>										
Admissions	1	1	1	1	1	1	1	1	1	1
Probations	2	2	2	2	2	2	2	2	2	2
<b>Cumulative Populations</b>										
Prison	1	2	2	2	2	2	2	2	2	2
Parole			1	1	1	1	1	1	1	1
Probation	2	4	6	6	6	6	6	6	6	6
<b>Impact</b>										
Prison Population	1	2	2	2	2	2	2	2	2	2
Field Population	2	4	7	7	7	7	7	7	7	7
Population Change	3	6	9	9	9	9	9	9	9	9

In response to a similar proposal (HCS HB 1896), **Oversight** notes, the **Missouri Office of Prosecution Services** stated the proposal would not have a measurable fiscal impact on their organization. However, the creation of a new crime creates additional responsibilities for county prosecutors which may in turn result in additional costs which are difficult to determine. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this organization.

**Oversight** notes the **Office of State Public Defender (SPD)** has stated the proposal would not have a direct fiscal impact on their organization. **Oversight** contacted SPD officials and

ASSUMPTION (continued)

determined the SPD assumes state agencies and employees will not be indigent and, therefore, will not require services from the SPD. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this organization.

In response to a similar proposal (HCS HB 1896), **Oversight** notes the **Department of Health and Senior Services** 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 in the fiscal note for these organizations.

§190.142

**Oversight** notes this section of the proposal pertains to emergency medical technician licenses. Currently, all levels of emergency medical technicians may perform only that patient care which is ordered by a physician. This bill proposes to include patient care which is ordered by a physician assistant.

**Oversight** assumes this change will have no fiscal impact on state or local governments.

§190.243

**Oversight** notes this section of the bill pertains to transportation to trauma, STEMI, or stroke center or hospitals. This bill proposes to allow an ambulance service to create and implement a protocol to triage emergency calls during a pandemic, provided that the protocol has been approved by the ambulance service medical director and administrator.

Officials from the **Florissant Fire Department** state this change will have a detrimental consequence for our fire district and the ability to provide timely and effective 911 services.

**Oversight** assumes section 190.243 could extend transport and returns times. Oversight will show a range of impact \$0 (no additional staff or resources are required to meet extended transport times) to an unknown cost if extended transport times require additional staff and resources to meet service requests.

§192.092

In response to a similar proposal (HB 1460), officials from the **St. Louis County Police Department (St. Louis County PD)** stated they have approximately 38 automated external defibrillators (AEDs) that would need to be tested on the 90-day schedule. Each test/inspection would take approximately 15 minutes. The total testing time would be 9.5 hours (38 AEDs \* 15 minutes/60 minutes per hour = 9.5 hours). Additionally, the testing would have to be done every quarter (12 months/4 = every 3 months or approximately 90 days) to stay within the time-line of the proposal. This increases the testing time to 38 hours (9.5 hours \* 4 quarters = 38 hours).

ASSUMPTION (continued)

Because the locations of the AED vary across St. Louis County boundaries, drive time would be a significant addition to the cost of the tests. Drive time to each AED device is difficult to estimate due to varying time-lines.

The St. Louis County PD would have to devote a minimum of 40 hours a year, or 120 hours every three years, to test the AEDs. Basing the salary on a Professional Staff 110, the average hourly wage with fringe benefits is \$31.82 per hours. The estimated total cost per year is \$1,273 per year (\$3,818 for the three years of the fiscal note) to the St. Louis County PD.

In response to a similar proposal (HB 1460), officials from the **Cooper County Public Health Center** stated this proposal would cost their county health center \$1,500 annually.

In response to a similar proposal (HB 1460), officials from the **City of Riverside** assumed no/minimal fiscal impact as a result of this legislation.

**Oversight** does not have any information to the contrary for local government costs for this proposal. For fiscal note purposes, Oversight will reflect the costs for all local governments as (Unknown).

In response to a similar proposal (HCS HB 1460), officials from the **Office of Administration (OA), Facilities Management, Design and Construction (FMDC)** stated this bill modifies the requirements associated with an automated external defibrillator (AED). This bill states that any person or entity who acquires an AED shall comply with all regulations governing the placement of an AED; notify an agent of the local emergency medical services agency of the existence, location, and type of AED acquired; ensure that the AED is maintained and tested according to the operation and maintenance guidelines set forth by the manufacturer; ensure that the AED is tested at least biannually and after each use; and ensure that an inspection is made of all AEDs on the premises at least every ninety days for potential issues related to operability of the device. The bill also states that any person who in good faith renders emergency care by use of or provision of an AED shall not be held liable for any civil damages or subject to any criminal penalty as a result of such care or treatment, unless the person acts in a willful and wanton or reckless manner in providing the care, advice, or assistance. The person or entity who provides training to the person using an AED, the person or entity responsible for the site where the AED is located, and the person or entity that owns the AED shall likewise not be held liable for civil damages or subject to any criminal penalty resulting from the use of an AED.

If FMDC were to acquire AEDs for State facilities, this bill would impose a substantial burden on FMDC, as it would require routine inspection, testing and maintenance of AEDs. However, FMDC rarely acquires AEDs. FMDC also assumes that if another state agency acquires an AED

ASSUMPTION (continued)

for placement in a state facility that the acquiring agency will be responsible for complying with the requirements of this bill. Based on those assumptions, FMDC estimates that the fiscal impact will be less than \$10,000. FMDC anticipates being able to absorb these costs. However, until the FY21 budget is final, FMDC cannot identify specific funding sources.

**Oversight** does not have any information to the contrary. Therefore, Oversight assumes costs will be absorbed within current funding sources and will reflect no fiscal impact for OA for fiscal note purposes.

In response to a similar proposal (HB 1460), officials from the **University of Missouri Health Care (UMHC)** stated they had reviewed the proposed legislation and determined that, as written, it should not create expenses in excess of \$100,000 annually.

**Oversight** contacted UMHC officials and determined that expenses expected to be less than \$100,000 annually are “absorbable” within current funding levels. The organization can and has to absorb the costs to be compliant with the regulation, but it may be at the expense of other priorities.

Based on the responses **Oversight** received from the UMHC and other Colleges and Universities, Oversight assumes a range of \$0 or (Unknown) for Colleges and Universities.

In response to a similar proposal (HCS HB 1460), **Oversight** notes the **Department of Health and Senior Services**, the **Department of Public Safety**, the **Columbia/Boone County Department of Public Health and Human Services**, the **St. Louis County Health Department** and the **Springfield Police Department** have stated the proposal would not have a direct fiscal impact on their organizations.

In response to a similar proposal (HB 1460), officials from the **Missouri Department of Conservation**, the **City of Hazelwood**, the **City of Springfield**, the **Adair County Health Department**, the **Boone County Sheriff’s Department**, the **Joplin Police Department**, the **Brentwood Fire Department**, **State Technical College of Missouri**, and the **St. Charles Community College** stated the proposal would not have a direct fiscal impact on their organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these organizations.

§195.815

Officials from the **Department of Public Safety (DPS)**, **Missouri State Highway Patrol (MHP)** state the Missouri Department of Health and Senior Services (DHSS) notes there are 348 medical marijuana “facilities” and assumes each facility will request background checks on 10

ASSUMPTION (continued)

employees. DHSS has the ability to conduct the state fingerprint portion of the employee background check requirement pursuant to the Missouri Constitution Article XIV. This legislation, if enacted and approved by the Federal Bureau of Investigation (FBI) Criminal Justice Information Law Unit (CJILU), would authorize the federal fingerprint portion of the employee background check requirement. With the estimation of 348 facilities conducting background checks on 10 employees, it is assume that \$6,960 will be deposited into the Criminal Record System Fund which includes a \$2.00 FBI fee (CJISD retains \$2.00 of the FBI fee).

The state fee for a fingerprint based criminal record check is \$20.00 per request. The federal fee for a fingerprint based criminal record check is \$13.25 per request, of which, the CJIS Division retains \$2.00. This equates to \$22 of the total state and federal fingerprint background check fee that is retained in the Criminal Record System Fund per request.

State and Federal Fingerprint Fee Schedule

State Fee = \$20.00

Federal Fee = \$13.25

Total State and Federal fee = \$33.25

Vendor Fee (if applicable) = \$8.50

Total State and Federal with Vendor fee = \$41.75

Total Retained in the Criminal Record System (CRS) Fund = \$22.00

**Oversight** obtained additional information from the Department of Health and Senior Services (DHSS) regarding the number of background checks that could be required as a result of this legislation. DHSS notes there are 348 medical marijuana “facilities” and assumes each facility will request background checks on 10 employees. Therefore, Oversight assumes \$76,560 (348 facilities x 10 employees x \$22/background check) will be deposited into the Criminal Record System Fund for FY 21.

Based on DHSS’ analysis, it is expected the DHSS will receive 38 to 75 background check requests per week once the industry is up and running. Therefore, for fiscal note purposes, **Oversight** will present an impact to the Criminal Records System Fund of \$43,472 (38 checks/week x 52 weeks x \$22 fee retained in CRS Fund) to \$85,800 (75 checks/week x 52 weeks x \$22 fee retained in CRS Fund) for FY 22 and FY 23.

In response to a similar proposal (HCS No.2 HB 1896), **Oversight** notes the **Department of Health and Senior Services** stated the proposal would not have a direct fiscal impact on their organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this organization.

ASSUMPTION (continued)

In response to a similar proposal (HCS No. 2 HB 1896), officials from the **Office of the Secretary of State (SOS), Rules Division** 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 \$5,000. 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.

**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 require additional resources.

§§211.071, 556.061, and 570.027 - Vehicle Hijacking

Officials from the **Office of State Courts Administrator (OSCA)** stated no impact to the underlying bill (HB 1873/4321-02P). However, in response to this bill, OSCA states this bill will have the same impact as SB 793 from the 2018 legislative session. Therefore, Oversight will reflect a fiscal impact of \$0 to (Unknown) for purposes of this fiscal note.

Officials from the **Department of Corrections (DOC)** state these sections create the offense of vehicle hijacking and makes it an offense punishable as a class B felony, or as a class A felony given certain conditions.

The DOC has no prior data relating to these charges; therefore, the department estimates an impact comparable to the creation of a new class B felony.

For each new class B felony, the DOC estimates three people will be sentenced to prison and four to probation. The average sentence for a class B felony offense is 8.7 years, of which 5.1 years will be served in prison with 3.4 years to first release. The remaining 3.6 years will be on parole. Probation sentences will be 3 years.

The cumulative impact on the department is estimated to be 15 additional offenders in prison and 12 on field supervision by FY 2025.



ASSUMPTION (continued)

Change in prison admissions and probation openings with legislation

	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030
<b>New Admissions</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	3	3	3	3	3	3	3	3	3	3
<b>Probation</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	4	4	4	4	4	4	4	4	4	4
<b>Change (After Legislation - Current Law)</b>										
Admissions	3	3	3	3	3	3	3	3	3	3
Probations	4	4	4	4	4	4	4	4	4	4
<b>Cumulative Populations</b>										
Prison	3	6	9	12	15	15	15	15	15	15
Parole						3	6	9	11	11
Probation	4	8	12	12	12	12	12	12	12	12
<b>Impact</b>										
Prison Population	3	6	9	12	15	15	15	15	15	15
Field Population	4	8	12	12	12	15	18	21	23	23
Population Change	7	14	21	24	27	30	33	36	38	38

Section 211.071.1 requires a court having jurisdiction over a juvenile offender alleged to have committed the offense, hold a certification hearing in order to determine whether the juvenile should be tried as an adult. Presumably, more juvenile certification hearings will result in more juvenile offenders tried and sentenced as adults. The actual impact of section 211.071.1 is difficult to determine as it is unknown how many juveniles will be found guilty and sentenced to a term of adult incarceration for this offense. DOC reflected a cost each year of the additional prisoners in plus an unknown amount.

**Oversight** does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect DOC's impact for fiscal note purposes.

Officials from the **Office of State Public Defender (SPD)** stated they cannot assume that existing staff will provide effective representation for any new cases arising where indigent persons are charged with the proposed new crime of vehicle-hijacking, a new class B felony, if armed or if a child or special victim is a victim, the charge is escalated to a class A felony. The Missouri State Public Defender System is currently providing legal representation in caseloads in excess of recognized standards.

As this is a newly defined crime, SPD does not have any statistics relating to the number of possible cases.

While the number of new cases (or cases with increased penalties) 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 in all cases where the right to counsel attaches.

ASSUMPTION (continued)

**Oversight** notes over the last three fiscal years, the SPD has lapsed a total of \$153 of General Revenue appropriations (\$2 out of \$28.0 million in FY 2017; \$150 out of \$42.5 million in FY 2018; and \$1 out of \$46.0 million in FY 2019). Therefore, Oversight assumes the SPD is at maximum capacity, and the increase in workload resulting from this bill cannot be absorbed with SPD's current resources.

Adding one additional Assistant Public Defender 1 (APD) with a starting salary of \$47,000, will cost approximately \$74,500 per year in personal service and fringe benefit costs. One additional APD II (\$52,000 per year; eligible for consideration after 1 year of successful performance at APD I) will cost the state approximately \$81,000 per year in personal service and fringe benefit costs. When expense and equipment costs such as travel, training, furniture, equipment and supplies are included, Oversight assumes the cost for a new APD could approach \$100,000 per year.

**Oversight** assumes the SPD cannot absorb the additional caseload that may result from this proposal within their existing resources and, therefore, will reflect a potential additional cost of (Less than \$100,000) per year to the General Revenue Fund. Oversight also notes since this is a new crime, the SPD may need additional staff to provide representation for indigent persons charged with this proposed new crime and assumes if additional FTE are required in the future, the SPD will request additional funding through the appropriations process.

In response to a similar proposal (HB 1873), officials from the **Missouri Office of Prosecution Services (MOPS)** assumed the proposal will have no measurable fiscal impact on MOPS and no measurable fiscal impact to prosecutors (since the proposed crimes have similar elements to the existing crimes of robbery in the first degree and robbery in the second degree).

In response to a similar proposal (HB 1873), **Oversight** notes the **Department of Public Safety - Missouri State Highway Patrol**, the **St. Louis County Police Department**, and the **Springfield Police Department** have each stated the proposal would not have a direct fiscal impact on their respective organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

§217.697

Officials from the **Department of Corrections (DOC)** state this section proposes the early parole of certain offenders over the age of sixty-five.

ASSUMPTION (continued)

To project the potential impact on the department over the next ten years, all offenders 56 years of age and older who meet the following conditions were considered:

- No conviction for a dangerous felony;
- Not a convicted sex offender;
- Offender will be 65 years or older by the time they have served at least 30 years in prison; and
- Serving a sentence of life without parole for a minimum of 50 years or more and was sentenced under §565.008.

The total potential impact on the department could be up to an additional 57 offenders eligible for release over the next ten fiscal years.

	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030
Possible Release	21	5	4	4	4	4	7	4	2	2
<b>Total</b>	<b>21</b>	<b>26</b>	<b>30</b>	<b>34</b>	<b>38</b>	<b>42</b>	<b>49</b>	<b>53</b>	<b>55</b>	<b>57</b>

The proposed legislation does not involve new admissions to prison or probation cases; therefore, the total cumulative impact on the offender population is reflected in the transfer of incarcerated offenders to the field population.

**Change in prison admissions and probation openings with legislation**

	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030
<b>New Admissions</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	0	0	0	0	0	0	0	0	0	0
<b>Probation</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	0	0	0	0	0	0	0	0	0	0
<b>Change (After Legislation - Current Law)</b>										
Admissions	0	0	0	0	0	0	0	0	0	0
Probations	0	0	0	0	0	0	0	0	0	0
<b>Cumulative Populations</b>										
Prison	-21	-26	-30	-34	-38	-42	-49	-53	-55	-57
Parole	21	26	30	34	38	42	49	53	55	57
Probation	0	0	0	0	0	0	0	0	0	0
<b>Impact</b>										
Prison Population	-21	-26	-30	-34	-38	-42	-49	-53	-55	-57
Field Population	21	26	30	34	38	42	49	53	55	57

ASSUMPTION (continued)

As this statute only states these offenders would become eligible to receive a parole hearing once the listed criteria is met, release would still be a decision for the Parole Board to make. Therefore, the impact could be none, should they choose not to release any additional offenders, all the way up to the above stated impact.

§217.735

Officials from the **Department of Corrections (DOC)** state under the interstate compact authorized in sections 589.500 to 589.569 and chapter 559, this bill permits out-of-state offenders, under lifetime supervision, to remain in the receiving state, and the board shall defer to the standards of supervision of the receiving state, including electronic monitoring. However, if at any time the offender returns to Missouri for more than thirty consecutive days, the offender shall be subject to lifetime supervision required by this section.

Currently, there are three out-of-state offenders under lifetime supervision of the board. After the changes in this bill, those offenders are permitted to remain in the receiving state and the board may defer those offenders to the standards of supervisions and electronic monitoring of the receiving states. However, when any of these offenders return to Missouri for more than 30 consecutive days, board will retain the lifetime supervision. It is not possible to deduce how many of these out of state offenders, currently under lifetime supervision of board, will return to Missouri for thirty or more consecutive days or for how many out of state offenders Missouri will be a receiving state under the interstate compact, thus the total impact cannot be reliably ascertained except that these three offenders may remain in their respective states.

**Oversight** does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect DOC's negative unknown impact for fiscal note purposes.

In response to a similar proposal (HCS HB 1289), officials from the **Missouri Office of Prosecution Services (MOPS)** assume the proposal will have no measurable fiscal impact on MOPS.

In response to a similar proposal (HCS HB 1289), officials from the **Department of Health and Senior Services**, and the **Department of Public Safety - Missouri State Highway Patrol** each stated the proposal would not have a direct fiscal impact on their organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

ASSUMPTION (continued)

§§217.850, 577.800, and 632.460

Officials from the **Office of State Public Defender (SPD)** state they cannot assume that existing staff will provide effective representation for any new cases arising where indigent persons are charged with the proposed new crimes relating to the unlawful use of an unmanned aircraft near a correctional center. These new crimes range from a new class A misdemeanor to a class B felony. The Missouri State Public Defender System is currently providing legal representation in caseloads in excess of recognized standards.

While the number of new cases (or cases with increased penalties) 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 in all cases where the right to counsel attaches.

**Oversight** notes over the last three fiscal years, the SPD has lapsed a total of \$153 of General Revenue appropriations (\$2 out of \$28.0 million in FY 2017; \$150 out of \$42.5 million in FY 2018; and \$1 out of \$46.0 million in FY 2019). Therefore, Oversight assumes the SPD is at maximum capacity, and the increase in workload resulting from this bill cannot be absorbed with SPD's current resources.

Adding one additional Assistant Public Defender 1 (APD) with a starting salary of \$47,000, will cost approximately \$74,500 per year in personal service and fringe benefit costs. One additional APD II (\$52,000 per year; eligible for consideration after 1 year of successful performance at APD I) will cost the state approximately \$81,000 per year in personal service and fringe benefit costs. When expense and equipment costs such as travel, training, furniture, equipment and supplies are included, Oversight assumes the cost for a new APD could approach \$100,000 per year.

**Oversight** assumes the SPD cannot absorb the additional caseload that may result from this proposal within their existing resources and, therefore, will reflect a potential additional cost of (Less than \$100,000) per year to the General Revenue Fund.

In response to a previous version (HB 1898), officials from the **Missouri Office of Prosecution Services (MOPS)** assumed the proposal will have no measurable fiscal impact on MOPS. The creation of a new crime creates additional responsibilities for county prosecutors which may, in turn, result in additional costs, which are difficult to determine.

**Oversight** notes the **Department of Corrections (DOC)** has stated the proposal would not have a direct fiscal impact on their organization. DOC notes the legislation includes the requirement that the department post a warning sign, no smaller than 11" x 14". The cost of the sign from

ASSUMPTION (continued)

Missouri Vocational Enterprise (MVE) is approximately \$65 each. Therefore, the cost to place one sign at all 22 prisons would be \$1,430 (\$65 x 22). These costs will be absorbed by the Department.

**Oversight** notes §577.800.5 requires a 11" x 14" warning sign at each high capacity venue. Oversight assumes the cost for these signs will be minimal and, therefore, can be absorbed.

**Oversight** does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect DOC's no impact for fiscal note purposes.

In response to a similar proposal (HCS HB 1898), **Oversight** notes the **Missouri State Highway Patrol**, the **Springfield Police Department**, and the **St. Louis County Police Department** have each stated the proposal would not have a direct fiscal impact on their respective organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

§221.111

**Oversight** notes the **Department of Corrections (DOC)** has stated the proposal would not have a direct fiscal impact on their organization. The DOC states there are very few violations of two-way telecommunication devices and their component parts by visitors, and it is already on the list of illegal contraband in correctional centers and jails.

In response to a similar proposal from 2019 (HB 70), DOC stated a six-year average was approximately 30 violations annually. Currently, the violation is a minor violation-confiscation, and the offender spends up to 20 days in disciplinary segregation and loss of privileges. With the passage of this bill, courts would make the determination as to any extra time imposed on the offender's sentence. If the court decides the sentence will run concurrently with the sentence the offender is already serving, the offender's time in prison or on parole would not be extended. However, if the offender now must serve additional time at the end of his or her scheduled sentence, this would (at some point depending on when the prisoner would have been released if not for this new charge) increase the prison population and result in additional costs for DOC.

**Oversight** does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect DOC's no impact for fiscal note purposes.

In response to a similar proposal (HB 1296), officials from the **Missouri Office of Prosecution Services (MOPS)** assumed the proposal will have no measurable fiscal impact on MOPS.

ASSUMPTION (continued)

**Oversight** notes the **Department of Public Safety - Missouri State Highway Patrol**, and the **State Public Defender's Office** have each stated the proposal would not have a direct fiscal impact on their respective organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

§270.400

In response to a similar proposal (HCS HB 1292), officials from the **Department of Agriculture (MDA)** assumed the proposal will have no fiscal impact on their organization.

**Oversight** notes that MDA 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 MDA.

Officials from the **Missouri Department of Conservation (MDC)** assume this proposal will have a negative unknown fiscal impact caused by conflicting language between this statutory language and the Wildlife Code of Missouri that could lead to enforcement actions.

**Oversight** assumes MDC would not have a direct fiscal impact from this proposal.

§306.127

In response to a similar proposal (HB 1935), officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** assumed the proposal will have no fiscal impact on their organization. MHP notes the Water Patrol Division currently has a system in place regarding the temporary boater identification cards.

**Oversight** inquired of MHP as to how many temporary boater safety identification cards have been issued. **MHP** stated the following:

CY 2019: 3,561 cards purchased at a cost of \$7.75 each for a total of \$27,597.75 (net)

CY 2018: 2,798 cards purchased at a cost of \$7.75 each for a total of \$21,684.50 (net)

CY 2017: 2,696 cards purchased at a cost of \$7.75 each for a total of \$20,894.00 (net)

MHP notes the temporary boater safety identification cards are sold for \$9; however, Jet Pay (payment processing vendor) collects \$1.25 of the \$9.

CY 2019: 3,561 payments processed at \$1.25 each (to Jet Pay) for a total of \$4,451.25

CY 2018: 2,798 payments processed at \$1.25 each (to Jet Pay) for a total of \$3,497.50

CY 2017: 2,696 payments processed at \$1.25 each (to Jet Pay) for a total of \$3,370.00

ASSUMPTION (continued)

**Oversight** notes the fund balance in the Water Patrol Division Fund (0400) as of December 31, 2019 was \$1,912,364.

**Oversight** notes that the authority to issue temporary boater safety identification cards and collect the associated fees in Section 306.127, RSMo expires on December 31, 2022. This proposal extends that expiration date to December 31, 2032. Therefore, Oversight will reflect a revenue extension (continuance) of "Less than \$30,000" beginning January 1, 2023 for this proposal. In addition, Oversight will reflect a continuing cost of "Less than \$5,000" beginning January 1, 2023 for a net fiscal impact of "Less than \$25,000."

§307.179

In response to a similar proposal (HB 2199), officials from the **Department of Revenue** and the **Department of Public Safety - Missouri Highway Patrol** each assumed the proposal will have no fiscal impact on their respective organizations.

**Oversight** notes that the agencies mentioned above have 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.

Oversight notes there were 1,020 infractions (\$83 fine) in 2019 for failure to secure a child less than eight years old in a child restraint or booster seat.

**Oversight** notes, of the \$83 fine, \$20.50 goes to fine revenue and the remaining \$62.50 goes to various state and local funds for court costs. However, all fines may not have been paid (for example, the court could have dismissed the ticket or set the fine at a different amount).

Oversight notes it would take approximately 1,200 tickets to be issued to reach \$100,000 in fine and court cost revenue. Oversight will reflect a potential amount of revenue to the state and local political subdivisions of "Less than \$100,000" per year from this charge.

Additional fine revenue received by local school districts may count as a deduction in the following year in determining their state aid apportionment, if the district is not a 'hold harmless' district. For simplicity, Oversight will only reflect the increase in fine revenue as a positive impact to local political subdivisions.



ASSUMPTION (continued)

Below are examples of some of the state and local funds to which court costs are distributed.

<b>Fee/Fund Name</b>	<b>Fee Amount</b>
Basic Civil Legal Services Fund	\$8.00
Clerk Fee	\$15.00 (\$12 State/\$3 County)
County Fee	\$25.00
State Court Automation Fund	\$7.00
Crime Victims' Compensation Fund	\$7.50
<b>Fee/Fund Name (continued)</b>	<b>Fee Amount</b>
DNA Profiling Analysis Fund	\$15.00
Peace Officer Standards and Training (POST) Fund	\$1.00
Sheriff's Retirement Fund	\$3.00
Motorcycle Safety Trust Fund	\$1.00
Brain Injury Fund	\$2.00
Independent Living Center Fund	\$1.00
Sheriff's Fee	\$10.00 (County)
Prosecuting Attorney and Circuit Attorney Training Fund	\$4.00
Prosecuting Attorney Training Fund	\$1.00 (\$0.50 State/\$0.50 County)
Spinal Cord Injury Fund	\$2.00

§§311.060, 311.660, and 313.220

**Oversight** notes the **Department of Public Safety - Alcohol and Tobacco Control** has stated the proposal would not have a direct fiscal impact on their organization.

In response to a similar proposal (HB 1468), **Oversight** notes the **Department of Revenue** has stated the proposal would not have a direct fiscal impact on their organization.

ASSUMPTION (continued)

**Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

§311.199

**Oversight** notes the **Department of Public Safety - Alcohol and Tobacco Control** 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 this agency.

§311.293

In response to a similar proposal (HB 1699), **Oversight** notes the **Department of Revenue** 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 in the fiscal note for this agency.

In response to a similar proposal (HB 1699), officials from the **City of Brentwood** responded to the legislation but did not provide a fiscal impact.

Officials from the **City of Springfield** state there is a potential positive fiscal impact to the City of Springfield. However, the impact is unquantifiable without knowing how the proposed legislation will affect the City's general fund.

**Oversight** assumes any potential impact on cities and counties would be indirect. Therefore, for purposes of this fiscal note, Oversight will present a zero impact to local governments.

§311.332

**Oversight** notes the **Department of Public Safety - Alcohol and Tobacco Control** 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.

§320.091

In response to a similar proposal (HB 2097), officials at the **Missouri Highway Patrol** assumed no fiscal impact to their agency from this proposal.

In response to a similar proposal (HB 2097), officials at the **City of Springfield** assumed no fiscal impact to their respective entities from this proposal.

ASSUMPTION (continued)

In response to similar legislation from 2019, HCS for HB 369, officials at the **City of Columbia** and the **Kearney Fire & Rescue Protection District** each assumed no fiscal impact to their respective entities from this proposal.

**Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note.

§321.552

Officials from **Department of Revenue (DOR)** assume this proposal would allow any governing body of an ambulance or fire protection district to impose a sales tax in an amount up to one percent on all retail sales made in such district. Previously the cap was at one-half of one percent. This proposal would not allow the districts in Cape Girardeau, Christian, Cole, Clay, Greene, Jackson, Jefferson, St. Charles County, St. Charles County and St. Louis City to increase their rates. In order to increase the sales tax the district would be required to hold an election and notify the Department of the increase. If the election were held in April 2021, then the tax would not be remitted until July 2021 (FY 2022).

Using information on the amount of sales tax collected, DOR calculated how much additional revenue would be raised by the districts if all raised their sales tax to the maximum 1% allowed by this proposal bellow.

Districts - Various Percentages	0.005	0.0025	0.00375	0.0045
Tax Base	10,240,964,864	1,843,205,900	849,942,243	664,923,916
New 1% Rate	\$ 102,409,649	\$ 18,432,059	\$ 8,499,422	\$ 6,649,239
Net Increase	\$ 51,204,824	\$ 13,824,044	\$ 5,312,139	\$ 3,657,082
1% DOR Fee*	\$ 512,048	\$ 138,241	\$ 53,121	\$ 36,571
<b>District Increase*</b>	<b>\$ 50,692,776</b>	<b>\$ 13,685,804</b>	<b>\$ 5,259,018</b>	<b>\$ 3,620,511</b>

\* 1% DOR Fee = \$512,048+\$138,240+\$53,120+\$36,571 = 739,981

\*District Increase total = \$50,692,776+\$13,685,804+\$5,259,018+\$3,620,511 = 73,258,108

The Department is allowed to retain 1% for collection costs, so this would be an increase to General Revenue of \$739,981 if all the subdivisions raised the tax to the maximum allowed.

ASSUMPTION (continued)

This would impact General Revenue \$0 or up to \$739,981 starting in FY 2022

This would impact local political subdivisions \$0 or up to \$73,258,108 starting in FY 2022.

In response to a previous version, officials from the **Office of Administration Budget & Planning (B&P)** deferred to the Department of Revenue for estimates of specific collection costs and projected sales tax revenues.

B&P also assumes the proposal allows increasing the sales tax for the described fire protection district from 0.50% up to 1% for the purpose of funding ambulance or fire protection districts.

According to the State Demographer, the description of any first class county or charter county in subsection 1 excludes counties with the population parameters fitting the counties of Greene, Clay, Platte, St. Louis, and St. Charles. This means any other county not excluded could raise its 0.5% sales tax to 1% on retail sales in its ambulance or fire protection districts.

It is assumed that districts with sales taxes below 0.5% could also raise their sales taxes. The chart below shows the revenue collection and DOR fee impact for each sales tax level increasing to 1%.

	1% Collections	DOR Fee	District Collections	Net Increase
<b>0.250%</b>	\$30,998,787	\$309,988	\$30,688,799	\$23,249,090
<b>0.375%</b>	\$8,499,422	\$84,994	\$8,414,428	\$5,312,139
<b>0.450%</b>	\$6,649,239	\$66,492	\$6,582,747	\$3,657,082
<b>0.500%</b>	\$131,717,947	\$1,317,179	\$130,400,767	\$65,858,973
<b>1.000%</b>	<b>\$177,865,395</b>	<b>\$1,778,654</b>	<b>\$176,086,741</b>	<b>\$98,077,284</b>

Voter-approved taxes do not impact TSR or 18e. However, DOR's retained collection fee will increase TSR.

The overall fiscal impact would be \$0 to \$178 million based upon the sales tax actions of existing ambulance and fire protection district policies, resulting in a potential \$98 million increase.

**Oversight** notes currently there are 78 districts that collect a sales tax (60 ambulance districts and 18 fire protection districts). For FY 2019, the distribution of sales tax revenue to the 60 ambulance districts totaled \$58 million, while the distribution to the 18 fire protection districts totaled \$19.7 million. Assuming most of these are collecting .5% sales tax, the potential to

ASSUMPTION (continued)

double the sales tax rate (depending upon voter approval) would total \$77.7 million (\$58 m + \$19.7 m), which is similar to the estimate provided by DOR. Therefore, Oversight will utilize DOR's estimate.

Officials from the **Department of Conservation (MDC)** assume the proposal will have unknown fiscal impact but greater than \$100,000. The Conservation Sales Tax funds are derived from one-eighth of one percent sales and use tax pursuant to Article IV Section 43 (a) of the Missouri Constitution. Any increase in sales and use tax collected would increase revenue to the Conservation Sales Tax funds. However, the initiative is very complex and may require adjustments to Missouri sales tax law which could cause some downside risk to the Conservation Sales Tax. The Department assumes the Department of Revenue would be better able to estimate the anticipated fiscal impact that would result from this proposal.

**Oversight** notes that Article IV, Section 47 of the Missouri Constitution, allows revenue received from an additional sales tax of one-tenth (1/10) of percent (1%) to be used for the conservation and management of the soil and water resources of Missouri and for the proper management of the state parks. The Parks Sales Tax Fund (0613) and the Soil and Water Sales Tax Fund (0614) each are to receive 50% of this additional sales tax funding. However, the proposal specifically allocates the monies into the Ambulance or Fire Protection District Sales Tax Trust Fund. Therefore, Oversight will note no fiscal impact to MDC or DNR organizations.

In response to a similar proposal (HB 2386), officials from the **Department of Public Safety Missouri Highway Patrol** both assumed the proposal will have no impact on their respective organizations.

**Oversight** notes the proposal will increase revenues to the local fire district and ambulance districts. Therefore, Oversight will note fiscal impact to the local political subdivisions \$0 (if not passed by constituents) or up to \$73,258,108 (estimated by DOR, passed by constituents) starting in FY 2022.

§§491.016 and 575.270

Officials from the **Office of State Public Defender (SPD)** stated they cannot assume that existing staff will provide effective representation for any new cases arising where indigent persons are charged with the enhanced penalties for witness tampering. The Missouri State Public Defender System is currently providing legal representation in caseloads in excess of recognized standards.

ASSUMPTION (continued)

In Fiscal Year 2019, SPD's Trial Division opened 68 cases under charge code 575.270 of the 62,002 total cases opened.

While the number of new cases (or cases with increased penalties) 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 in all cases where the right to counsel attaches.

**Oversight** notes over the last three fiscal years, the SPD has lapsed a total of \$153 of General Revenue appropriations (\$2 out of \$28.0 million in FY 2017; \$150 out of \$42.5 million in FY 2018; and \$1 out of \$46.0 million in FY 2019). Therefore, Oversight assumes the SPD is at maximum capacity, and the increase in workload resulting from this bill cannot be absorbed with SPD's current resources.

Adding one additional Assistant Public Defender 1 (APD) with a starting salary of \$47,000, will cost approximately \$74,500 per year in personal service and fringe benefit costs. One additional APD II (\$52,000 per year; eligible for consideration after 1 year of successful performance at APD I) will cost the state approximately \$81,000 per year in personal service and fringe benefit costs. When expense and equipment costs such as travel, training, furniture, equipment and supplies are included, Oversight assumes the cost for a new APD could approach \$100,000 per year.

**Oversight** assumes the SPD cannot absorb the additional caseload that may result from this proposal within their existing resources and, therefore, will reflect a potential additional cost of (Less than \$100,000) per year to the General Revenue Fund.

Officials from the **Department of Corrections (DOC)** state this proposal modifies the penalty for the offense of tampering with a witness or victim.

In FY 2019, there were 2 admissions to prison and 6 sentenced to probation with a class D felony relating to tampering with a witness or victim.

Considering the case of maximum impact, all admissions for tampering were class A felonies and the charge will be reclassified from class D felony to class C felony.

ASSUMPTION (continued)

The differences of standard class D and class C felonies are summarized in the following table.

	Class D	Class C
<b>Total Length</b>	<b>5</b>	<b>6.9</b>
<b>First Release</b>	<b>1.7</b>	<b>2.1</b>
<b>Total Prison</b>	<b>2.8</b>	<b>3.7</b>
<b>Probation</b>	<b>3</b>	<b>3</b>

In response to a similar proposal (HCS HB 1964), officials from the **Missouri Office of Prosecution Services (MOPS)** assumed the proposal will have no measurable fiscal impact on MOPS.

In response to a similar proposal (HCS HB 1964), **Oversight** notes the **Department of Public Safety - Missouri State Highway Patrol**, and the **Office of State Courts Administrator** have each stated the proposal would not have a direct fiscal impact on their organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

§491.641

In response to a similar proposal (HCS HB 2207), officials from the **Department of Public Safety (DPS)** stated this proposal creates a new fund in the state treasury to be used solely by the DPS for the purposes of witness protection services. It does not establish a specific source from which monies will be collected by the fund. It also does not specify if fund monies can be spent on administration of the fund.

The DPS believes it will require one (1) Public Safety Program Specialist to administer the fund.

In the proposed Governor's Budget, DPS is receiving additional FTE to work on grant programs. It is our anticipation that those FTE would cover administering this program. However, if those FTE are cut from the budget, DPS would require an additional one (1) FTE to administer this program.

This version removes the sunset provision.

**Oversight** does not have any information contrary to that provided by DPS. Therefore, Oversight will range DPS' response from \$0 (DPS will receive additional FTE in the FY 2021 budget) to DPS' impact for fiscal note purposes.

ASSUMPTION (continued)

**Oversight** notes this proposed legislation creates the Pretrial Witness Protection Services Fund. The legislation authorizes the Department of Public Safety to disperse to reimburse expenditures by law enforcement agencies to provide for the security, health, safety and welfare of witnesses, potential witnesses, victims, and members of their families and households, if they are in danger of bodily injury or their life is in jeopardy as a result of giving testimony or being willing to testify in criminal proceedings instituted or investigations pending against a person alleged to have engaged in a violation of state law. This includes authority for local law enforcement agencies to purchase, rent or modify protected housing facilities and to contract with federal or state government agencies to obtain or provide the facilities or services necessary for such housing. In the FY 2021 budget, the Governor's Recommendation approved the funding for this program at \$1,000,000.

In response to a previous version, officials from the **Office of State Courts Administrator (OSCA)** stated this proposal may have some impact, but there is no way to quantify that impact at the present time. Any significant changes will be reflected in future budget requests.

In response to a similar proposal (HCS HB 2207), **Oversight** notes the **Department of Natural Resources**, the **Department of Public Safety - Missouri State Highway Patrol**, the **Department of Social Services**, the **Department of Conservation**, and the **State Treasurer's Office** have each stated the proposal would not have a direct fiscal impact on their respective organizations.

In response to a previous version, **Oversight** notes the **St. Louis County Police Department** stated this 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 in the fiscal note for these agencies.

§544.170

In response to a similar proposal (HB 1459), **Oversight** notes the **Department of Corrections**, the **Department of Public Safety - Missouri State Highway Patrol**, and the **Springfield Police Department** have each stated the proposal would not have a direct fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, **Oversight** will reflect a zero impact in the fiscal note for these agencies.

In response to a similar proposal (HB 1459), officials from the **Boone County Sheriff's Department (BCSD)** stated costs would be incurred for housing/detaining a person for each day one is detained based upon being a danger to themselves or others. However, the BCSD will not house persons in the jail based solely upon being a danger to themselves or others without criminal charges. They will be taken to a mental health facility for evaluation.



ASSUMPTION (continued)

In response to a similar proposal (HB 1459), officials from the **St. Louis County Police Department (SLCPD)** estimated there will be a need for one hour of retraining, two hours of policy development and review, and three hours of training preparation. The SLCPD has an authorized strength of 1,020 police officers. The average pay for police officers including fringe benefits is \$46.72 an hour. Therefore, the training would cost approximately \$47,888 (\$47,654.40 + \$93.44 + \$140.16).

**Oversight** notes the cost for the Boone County Sheriff's Department and the St. Louis County Police Department. Oversight is unable to project a statewide cost; therefore, the impact to local governments will be presented as \$0 to (Unknown) for the additional time some arrested persons are kept in custody. Oversight notes the law would allow local law enforcement the flexibility to detain persons beyond 24 hours, but would not require it.

§§556.061 and 570.027

Officials from the **Department of Corrections (DOC)** state §556.061 modifies the definition of a dangerous felony to include armed criminal action, conspiracy when the offense is a dangerous felony, and vehicle hijacking when punished as a class A felony. No impact.

Additionally, this bill creates the offense of vehicle hijacking and makes it an offense punishable as a class B felony, or as a class A felony given certain conditions.

The DOC has no prior data relating to these charges; therefore, the department estimates an impact comparable to the creation of a new class B felony.

For each new class B felony, the DOC estimates three people will be sentenced to prison and four to probation. The average sentence for a class B felony offense is 8.7 years, of which 5.1 years will be served in prison with 3.4 years to first release. The remaining 3.6 years will be on parole. Probation sentences will be 3 years.

The cumulative impact on the department is estimated to be 15 additional offenders in prison and 12 on field supervision by FY 2025.

ASSUMPTION (continued)

Change in prison admissions and probation openings with legislation

	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030
<b>New Admissions</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	3	3	3	3	3	3	3	3	3	3
<b>Probation</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	4	4	4	4	4	4	4	4	4	4
<b>Change (After Legislation - Current Law)</b>										
Admissions	3	3	3	3	3	3	3	3	3	3
Probations	4	4	4	4	4	4	4	4	4	4
<b>Cumulative Populations</b>										
Prison	3	6	9	12	15	15	15	15	15	15
Parole						3	6	9	11	11
Probation	4	8	12	12	12	12	12	12	12	12
<b>Impact</b>										
Prison Population	3	6	9	12	15	15	15	15	15	15
Field Population	4	8	12	12	12	15	18	21	23	23
Population Change	7	14	21	24	27	30	33	36	38	38

In response to a similar proposal (HB 1873), **Oversight** noted the **St. Louis County Police Department**, and the **Springfield Police Department** have each stated the proposal would not have a direct fiscal impact on their respective organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

**Oversight** only reflects the responses that we have received from state agencies and political subdivisions; however, other police and sheriff's departments were requested to respond to this proposed legislation but did not. A general listing of political subdivisions included in our database is available upon request.

§557.045

Officials from the **Department of Corrections (DOC)** state this section intends to prohibit the eligibility of probation, suspended imposition or execution of sentence, or conditional release for convictions of second-degree murder and convictions of dangerous felonies for people with associated armed criminal action or prior dangerous or class A or class B felony offenses.

Murder 2nd Degree

In FY 2019, there were 110 new admissions for 2nd degree murder under class A felony, with an average sentence of 21.8 years and 17.6 years as a time for first release. There were four new probations with an average term of 4.5 years.

ASSUMPTION (continued)

After changes in this bill, no offenders convicted of second degree murder will be sentenced to probation or receive SIS, SES, or CR, and all offenders will serve their full sentence prior to release from prison. The cumulative impact over the 10-year scope of these changes could be 40 new admissions to prison and 18 fewer field supervision cases in FY 2030.

Change in prison admissions and probation openings with legislation

	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030
<b>New Admissions</b>										
Current Law	110	110	110	110	110	110	110	110	110	110
After Legislation	114	114	114	114	114	114	114	114	114	114
<b>Probation</b>										
Current Law	4	4	4	4	4	4	4	4	4	4
After Legislation	0	0	0	0	0	0	0	0	0	0
<b>Change (After Legislation - Current Law)</b>										
Admissions	4	4	4	4	4	4	4	4	4	4
Probations	-4	-4	-4	-4	-4	-4	-4	-4	-4	-4
<b>Cumulative Populations</b>										
Prison	4	8	12	16	20	24	28	32	36	40
Parole										
Probation	-4	-8	-12	-16	-18	-18	-18	-18	-18	-18
<b>Impact</b>										
Prison Population	4	8	12	16	20	24	28	32	36	40
Field Population	-4	-8	-12	-16	-18	-18	-18	-18	-18	-18
Population Change					2	6	10	14	18	22

Dangerous Felony and Armed Criminal Action (ACA)

In FY 2019, there were 478 new admissions to prison associated with a dangerous felony sentence, with an average sentence of 14.0 years. Offenders with dangerous felony sentences who were released from prison for the first time in FY 2019 served, on average, 82% of their sentence prior to first release. As per this legislation, the prison term will be 100% of the length of the sentence for those offenders who have prior dangerous felony convictions.

Out of the 478 new prison admissions in FY2019:

- 50 had both an armed criminal action charge associated with their FY 2019 admission to prison and a prior conviction for either a dangerous felony or a class A or class B felony,
- 46 had a prior conviction for either a dangerous felony or a class A or class B felony and did not have an armed criminal action charge associated with their FY 2019 admission to prison, and
- 292 had an armed criminal action charge associated with their FY 2019 admission to prison and no prior conviction for either a dangerous felony or a class A or class B felony.

This legislation proposes that these 388 offenders will serve their entire sentence in prison. Therefore, DOC estimates that they will serve 14.0 years in prison instead of the 82% average to

ASSUMPTION (continued)

first release. Because of long-term sentences, the impact will not be observable within the 10-year scope of this note; however, DOC estimates that by the year 2034, there will be an addition of 660 new offenders in prison with an equivalent number of reductions in field population.

In FY 2019, there were 191 new court probations for dangerous felonies and ACA convictions, with an average sentence of 8.1 years. As per the proposed legislation, offenders with a prior conviction for either a dangerous felony or a class A or class B felony, or offenders with an armed criminal action charge associated with their FY 2019 probation case, will no longer be eligible for probation and their prison term will be 100% of the length of their sentence.

Out of the 191 new probation cases in FY 2019:

- 8 had both an armed criminal action charge associated with their FY 2019 probation sentences, and a prior conviction for either a dangerous felony or a class A or class B felony,
- 85 had a prior conviction for either a dangerous felony or a class A or class B felony and did not have an armed criminal action charge associated with their FY 2019 probation sentences.
- 1 had an armed criminal action charge associated with their FY 2019 probation sentence, and no prior conviction for either a dangerous felony or a class A or class B felony.

As per the proposed changes, these 94 offenders will be sentenced to prison rather than probation and serve sentences of 8.1 years. The cumulative impact of these changes could be 761 new admissions to prison and 282 fewer field supervisions cases in FY 2029.

Change in prison admissions and probation openings with legislation

	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030
<b>New Admissions</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	94	94	94	94	94	94	94	94	94	94
<b>Probation</b>										
Current Law	191	191	191	191	191	191	191	191	191	191
After Legislation	97	97	97	97	97	97	97	97	97	97
<b>Change (After Legislation - Current Law)</b>										
Admissions	94	94	94	94	94	94	94	94	94	94
Probations	-94	-94	-94	-94	-94	-94	-94	-94	-94	-94
<b>Cumulative Populations</b>										
Prison	94	188	282	376	470	564	658	752	761	761
Parole										
Probation	-94	-188	-282	-282	-282	-282	-282	-282	-282	-282
<b>Impact</b>										
Prison Population	94	188	282	376	470	564	658	752	761	761
Field Population	-94	-188	-282	-282	-282	-282	-282	-282	-282	-282
Population Change				94	188	282	376	470	479	479

ASSUMPTION (continued)

Combined Impact

Although the estimated impact of this bill is nearly double what is presented here when projected over a longer time period, the combined impacts of proposed changes could be an additional 801 offenders in prison and 300 fewer offenders under supervision in the field by FY 2030.

Change in prison admissions and probation openings with legislation

	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030
<b>New Admissions</b>										
Current Law	498	498	498	498	498	498	498	498	498	498
After Legislation	596	596	596	596	596	596	596	596	596	596
Probation	0	0	0	0	0	0	0	0	0	0
Current Law	195	195	195	195	195	195	195	195	195	195
After Legislation	97	97	97	97	97	97	97	97	97	97
<b>Change (After Legislation - Current Law)</b>										
Admissions	98	98	98	98	98	98	98	98	98	98
Probations	-98	-98	-98	-98	-98	-98	-98	-98	-98	-98
<b>Cumulative Populations</b>										
Prison	98	196	294	392	490	588	686	784	797	801
Parole	0	0	0	0	0	0	0	0	0	0
Probation	-98	-196	-294	-298	-300	-300	-300	-300	-300	-300
<b>Impact</b>										
Prison Population	98	196	294	392	490	588	686	784	797	801
Field Population	-98	-196	-294	-298	-300	-300	-300	-300	-300	-300
Population Change	0	0	0	94	190	288	386	484	497	501

Section 562.014

Officials from the **Department of Corrections (DOC)** stated this section modifies language related to the definition of conspiracy as it relates to the intent to commit a class A, B, C, or unclassified felony offense, and explicitly classifies conspiracy as defined in this section as a class C felony. No foreseen operational impact.

§565.002

Officials from the **Office of State Public Defender (SPD)** stated they cannot assume that existing staff will provide effective representation for any new cases arising where indigent persons are charged with the enhanced penalties for crimes against sporting officials - now defined as “special victims,” which enhances the penalties. The Missouri State Public Defender System is currently providing legal representation in caseloads in excess of recognized standards.

While the number of new cases (or cases with increased penalties) 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 in all cases where the right to counsel attaches.

ASSUMPTION (continued)

**Oversight** notes over the last three fiscal years, the SPD has lapsed a total of \$153 of General Revenue appropriations (\$2 out of \$28.0 million in FY 2017; \$150 out of \$42.5 million in FY 2018; and \$1 out of \$46.0 million in FY 2019). Therefore, Oversight assumes the SPD is at maximum capacity, and the increase in workload resulting from this bill cannot be absorbed with SPD's current resources.

Adding one additional Assistant Public Defender 1 (APD) with a starting salary of \$47,000, will cost approximately \$74,500 per year in personal service and fringe benefit costs. One additional APD II (\$52,000 per year; eligible for consideration after 1 year of successful performance at APD I) will cost the state approximately \$81,000 per year in personal service and fringe benefit costs. When expense and equipment costs such as travel, training, furniture, equipment and supplies are included, Oversight assumes the cost for a new APD could approach \$100,000 per year.

**Oversight** assumes the SPD cannot absorb the additional caseload that may result from this proposal within their existing resources and, therefore, will reflect a potential additional cost of (Less than \$100,000) per year to the General Revenue Fund.

In response to a similar proposal (HCS HB Nos. 1809 & 1570), officials from the **Department of Corrections (DOC)** stated this involves a small population and specialized circumstances and is expected to have no significant impact on the DOC.

**Oversight** does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect a zero impact for fiscal note purposes for the DOC.

In response to a similar proposal (HCS HB Nos. 1809 & 1570), officials from the **Missouri Office of Prosecution Services (MOPS)** assumed the proposal will have no measurable fiscal impact on MOPS.

In response to a similar proposal (HCS HB Nos. 1809 & 1570), **Oversight** notes the **Department of Public Safety - Missouri State Highway Patrol** 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 in the fiscal note for these agencies.

§571.015

Officials from the **Department of Corrections (DOC)** state this legislation does not create any new criminal offenses, it increases criminal penalties for existing offenses. Because of this fact there is no projected fiscal impact within the ten-year timeframe for fiscal note responses.

ASSUMPTION (continued)

However, the department does anticipate significant fiscal impact past the ten-year reporting timeframe.

Section 571.015 subsection (1) changes the prison term for crime of armed criminal action (ACA), from a minimum of three years to five years. The prison term, however, shall not to exceed fifteen years. It also makes the punishment consecutive with any other punishment. Eligibility term for probation, parole, conditional release (CR), suspended imposition (SIS) or suspended execution (SES) is increased from three years to five years or eighty-five percent of the sentence imposed, whichever is greater.

Section 571.015 subsection (2) changes the prison term for second offense (separate occurrence from first offense) of armed criminal action (ACA), from a minimum of five years to ten years. The prison term, however, shall not exceed thirty years. It also makes the punishment consecutive with any other ACA punishment. Eligibility term for probation, parole, CR, SIS or SES is increased from five years to ten years or eighty-five percent of the sentence imposed, whichever is greater.

Section 571.015 subsection (3) changes the prison term for third or subsequent offense (separate occurrence from first and second offense) of armed criminal action (ACA), from a minimum of ten years to fifteen years. It also makes the punishment consecutive with any other ACA punishment. Eligibility term for probation, parole, CR, SIS or SES is increased from ten years to fifteen years or eighty-five percent of the sentence imposed, whichever is greater.

In response to a similar proposal (SB 601), DOC stated the bill increases imprisonment terms for offenders with Armed Criminal Action (ACA) crimes and eliminates the eligibility for probation, parole, CR, SIS, or SES and requires sentences for ACA to be served consecutively. As this bill does not introduce new actions eligible for charges, it is not likely to have an impact on the number of offenders under the purview of the Department. However, offenders convicted of ACA will have longer sentences and longer stays in prison.

In FY 2019, 497 offenders were admitted to prison on at least one ACA sentence. Of these prison admissions, 197 were new court commitments, 227 were court commitments on an additional sentence an offender received while under supervision in the field, and 72 were parole returns to prison.

For further estimating the potential impact of the proposed legislation, this analysis focuses on the 424 offenders admitted to prison for new sentences in FY 2019. The average length of their longest admitting sentence was 15.6 years. By adding the sentence lengths for ACA sentences consecutive to the offenders longest sentence, we estimate the proposed legislation would increase the average sentence length for these offenders to 23.8 years.

ASSUMPTION (continued)

In FY 2019, 446 offenders who were admitted to prison on at least one ACA sentence were first released from prison. Their average length of stay to first release was 9.6 years, which was approximately 61.5% of their longest admitting sentence. When we apply this same percent of sentence as time served to first release to the new average sentence length of 23.8 years, we expect offenders with ACA sentences to serve, on average, approximately 14.6 years to first release.

Given the relatively long lengths of sentences and prison stays for these offenders, and the discretion of the courts in determining the length of these sentences, the exact impact on department operations is difficult to determine. The analysis takes into account all sentences of offenders admitted to and released from prison during FY2019, applies the condition that all ACA sentences be served consecutively, and uses the new minimum years for first time and prior ACA offenses to estimate the operational impact of serving ACA sentences that were being served concurrently as consecutive sentences. The estimated impact does not begin to appear until FY 2032 and is not expected to reach maximum cumulative impact until FY 2044, when there could be 2544 more offenders in prison and 933 more offenders under parole supervision.

**Change in prison admissions and probation openings with legislation**

	FY2036	FY2037	FY2038	FY2039	FY2040	FY2041	FY2042	FY2043	FY2044	FY2045
<b>New Admissions</b>										
Current Law	424	424	424	424	424	424	424	424	424	424
After Legislation	424	424	424	424	424	424	424	424	424	424
<b>Probation</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	0	0	0	0	0	0	0	0	0	0
<b>Change (After Legislation - Current Law)</b>										
Admissions	0	0	0	0	0	0	0	0	0	0
Probations	0	0	0	0	0	0	0	0	0	0
<b>Cumulative Populations</b>										
Prison	1866	2290	2544	2544	2544	2544	2544	2544	2544	2544
Parole	-1696	-1696	-1526	-1102	-678	-254	170	594	933	933
Probation	0	0	0	0	0	0	0	0	0	0
<b>Impact</b>										
Prison Population	1866	2290	2544	2544	2544	2544	2544	2544	2544	2544
Field Population	-1696	-1696	-1526	-1102	-678	-254	170	594	933	933
<b>Population Change</b>	<b>170</b>	<b>594</b>	<b>1018</b>	<b>1442</b>	<b>1866</b>	<b>2290</b>	<b>2714</b>	<b>3138</b>	<b>3477</b>	<b>3477</b>

**Oversight** notes the estimated increase in prison population (an additional 2,544 prisoners) resulting from changes to §571.015 would not be fully realized until FY 2038 (18 years in the future).



ASSUMPTION (continued)

**DOC** was reluctant to provide fiscal estimates for these potential additional prisoners since it is so distant in the future. Therefore, Oversight will note the impact as “significant”.

§571.031

Officials from the **Office of State Public Defender (SPD)** stated they cannot assume that existing staff will provide effective representation for any new cases arising where indigent persons are charged with the newly defined crime of Unlawful Use of a Weapon which carries differing levels of penalties. The Missouri State Public Defender System is currently providing legal representation in caseloads in excess of recognized standards.

In Fiscal Year 2019, SPD’s Trial Division opened 609 cases under charge code 571.030 of the 62,002 total cases opened. It is unknown how many of these cases were within a municipality. The penalties are similar.

While the number of new cases (or cases with increased penalties) 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 in all cases where the right to counsel attaches.

**Oversight** notes over the last three fiscal years, the SPD has lapsed a total of \$153 of General Revenue appropriations (\$2 out of \$28.0 million in FY 2017; \$150 out of \$42.5 million in FY 2018; and \$1 out of \$46.0 million in FY 2019). Therefore, Oversight assumes the SPD is at maximum capacity, and the increase in workload resulting from this bill cannot be absorbed with SPD’s current resources.

Adding one additional Assistant Public Defender 1 (APD) with a starting salary of \$47,000, will cost approximately \$74,500 per year in personal service and fringe benefit costs. One additional APD II (\$52,000 per year; eligible for consideration after 1 year of successful performance at APD I) will cost the state approximately \$81,000 per year in personal service and fringe benefit costs. When expense and equipment costs such as travel, training, furniture, equipment and supplies are included, Oversight assumes the cost for a new APD could approach \$100,000 per year.

**Oversight** assumes the SPD cannot absorb the additional caseload that may result from this proposal within their existing resources and, therefore, will reflect a potential additional cost of (Less than \$100,000) per year to the General Revenue Fund.

In response to a similar proposal (HB 2169), officials from the **Department of Corrections (DOC)** stated the areas already covered in the statute for unlawfully discharging a firearm include

ASSUMPTION (continued)

dwelling house, railroad train, boat, aircraft, motor vehicle, schoolhouses, courthouses or church buildings. These locations cover many areas within a municipality. For that reason, the additional instances which would fall within Blair's Law is believed to have no fiscal impact to the department.

**Oversight** does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect DOC's no impact for fiscal note purposes.

In response to a similar proposal (HB 2169), officials from the **Missouri Office of Prosecution Services (MOPS)** assumed the proposal will have no measurable fiscal impact on MOPS. The creation of a new crime creates additional responsibilities for county prosecutors which may, in turn, result in additional costs, which are difficult to determine.

In response to a similar proposal (HB 2169), **Oversight** notes the **Department of Public Safety - (Missouri State Highway Patrol Department and Missouri National Guard)**, the **Department of Conservation**, the **Office of State Courts Administrator**, the **City of Kansas City**, the **City of O'Fallon**, the **City of Springfield**, and the **St. Louis County Police Department** have each stated the proposal would not have a direct fiscal impact on their respective organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

§571.070

Officials from the DOC state this section enhances the felony class of unlawful possession of a firearm from a class D felony to a class C felony, for offenders also convicted of, a dangerous felony or armed criminal action or drug trafficking.

In FY 2019, there were 85 new admissions under section 571.070 for a class D felony, with an average sentence of 5.0 years, and 2.1 years until the first release. There were 246 sentences to either probation or 120 days, with an average term of 4.4 years.

Out of these offenders, nine were also convicted of dangerous felony or armed criminal action, and zero convicted of drug trafficking. All of these offenses are either a class A, B or U felony charges, higher than a class C felony. Thus, these offenders are already serving longer sentences than that for a class C felony. Changing a class D to a class C felony will result in a longer stay, only if these sentences are consecutive instead of concurrent, which is not the case and is not addressed in this bill.

ASSUMPTION (continued)

Nevertheless, assuming a consecutive sentence of class C felony for unlawful firearm possession, these nine offenders will now be charged under class C felony. The average sentence for a new class C felony is 6.9 years, of which 3.7 years will be served in prison with 2.1 years to first release. The remaining 3.2 years will be on parole. Probation sentences will be 3 years.

The cumulative impact, assuming nine new admissions and no new probations, will be five new prison admissions and a loss of five field supervisions by FY 2024.

**Oversight** contacted the DOC regarding the meaning of a U felony. According to the DOC, under a U felony, the convicted person will be punished according to the specific statute which makes the crime against the law. Those unclassified felonies can receive a penalty outside the definition of a class A, B, C, D, or E felony.

§575.150

Officials from the **Office of State Public Defender (SPD)** state they cannot assume that existing staff will provide effective representation for any new cases arising where indigent persons are charged with the enhanced penalties for the offense of resisting or interfering with an arrest - a new class E felony. The Missouri State Public Defender System is currently providing legal representation in caseloads in excess of recognized standards.

In Fiscal Year 2019, SPD's Trial Division opened 1,454 cases under charge code 575.150 of the 62,002 total cases opened.

While the number of new cases (or cases with increased penalties) 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 in all cases where the right to counsel attaches.

**Oversight** notes over the last three fiscal years, the SPD has lapsed a total of \$153 of General Revenue appropriations (\$2 out of \$28.0 million in FY 2017; \$150 out of \$42.5 million in FY 2018; and \$1 out of \$46.0 million in FY 2019). Therefore, Oversight assumes the SPD is at maximum capacity, and the increase in workload resulting from this bill cannot be absorbed with SPD's current resources.

Adding one additional Assistant Public Defender 1 (APD) with a starting salary of \$47,000, will cost approximately \$74,500 per year in personal service and fringe benefit costs. One additional APD II (\$52,000 per year; eligible for consideration after 1 year of successful performance at APD I) will cost the state approximately \$81,000 per year in personal service and fringe benefit costs. When expense and equipment costs such as travel, training, furniture, equipment and supplies are included, Oversight assumes the cost for a new APD could approach \$100,000 per year.

ASSUMPTION (continued)

According to “The Missouri Project” (RubinBrown, June 2014), the number of hours that should be spent on a misdemeanor case is 13.3. This number takes into account time for travel and in-court appearances. In contrast, the number of hours that should be spent on a C/D/E felony case is 28.5. This equates to a difference of 15.2 additional hours spent on a felony case versus a misdemeanor case ( $28.5 - 13.3 = 15.2$ ). **SPD** notes of the 1,454 cases, 510 individuals were misdemeanor cases. If just ten percent of the previously charged with a misdemeanor will now be charged with a felony, this equates to an additional 775 hours ( $15.2 \text{ hours} \times 51 \text{ cases}$ ) annually. With 2,080 work hours in a year, the SPD would need one attorney to meet the requirements of this legislation ( $775 / 2,080$ ).

**Oversight** assumes the SPD cannot absorb the additional caseload that may result from this proposal within their existing resources and, therefore, will reflect a potential additional cost of (Less than \$100,000) per year to the General Revenue Fund.

Officials from the **Department of Corrections (DOC)** state this section modifies the offense of resisting or interfering with arrest. Section 575.150 creates a class E felony for resisting arrest by fleeing in a motor vehicle from law enforcement and increases to a D felony for subsequent convictions. It also increases the penalty for resisting arrest by fleeing in a motor vehicle from law enforcement in which the person demonstrates disregard for the safety of any person or property and it results in serious bodily injury or death to another person from a class E felony to a class D felony. This penalty increases to a C felony for subsequent offenses.

The potential impact of this bill is difficult to determine because department records do not differentiate between resisting arrest offenses that involve motor vehicles and those that do not. Therefore, DOC assumes that offenses under section 577.150 that were sentenced as class E felonies will continue to be sentenced as class E felonies unless the offender has a prior sentence under this section, in which case the sentence would be reclassified as a class D felony.

In FY 2019, there were 272 offenders sentenced to prison related to 575.150. Of those, 26 had prior sentences that were related to 575.150. Offenders serving these sentences served, on average, 2.2 years to first release. This is approximately 55% of their sentence, which is the average used in our standard response for a new violent class E felony.

The differences between the department's standard responses for a violent class E felony and violent class D felony are summarized in the table below.

ASSUMPTION (continued)

	Class E	Class D	Diff
<b>First release</b>	2.2	3.0	0.8
<b>Total prison</b>	2.8	3.9	1.1
<b>Total Parole</b>	1.2	1.8	0.6
<b>Total Sentence</b>	4.0	5.7	1.7

As shown in the table, the reclassification will establish a sentence that is 1.7 years longer. On average, an offender serving a prison term for a violent class D felony serves 3 years to first release, or 0.8 years more than offenders with a violent class E felony. Given our assumption of 33% of the remaining sentence due to returns from parole for violations, offenders with a violent class D felony will serve, on average, an additional 0.9 years in prison, or 0.3 years more than for a violent class E felony. This equates to a total of 1.1 more years in prison for a violent class D felony than a violent class E felony. Offenders with a violent class D felony are estimated to serve 1.8 years of their sentence under parole supervision, which is 0.6 years longer than for a violent class E felony.

From FY 2021 to FY 2024, the total population number stays the same, but offenders who would have been released to parole will remain in prison longer, lowering the parole population temporarily. In FY 2025, the total population is expected to increase. By FY 2026, there will be an additional 29 offenders in prison and 16 offenders under field supervision.

Impact of reclassifying class E felony sentences to class D felony offenses for repeat offenders

	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030
<b>New Admissions</b>										
Current Law	26	26	26	26	26	26	26	26	26	26
After Legislation	26	26	26	26	26	26	26	26	26	26
<b>Probation</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	0	0	0	0	0	0	0	0	0	0
<b>Change (After Legislation - Current Law)</b>										
Admissions	0	0	0	0	0	0	0	0	0	0
Probations	0	0	0	0	0	0	0	0	0	0
<b>Cumulative Populations</b>										
Prison			5	29	29	29	29	29	29	29
Parole			-5	-29	-3	16	16	16	16	16
<b>Probation</b>										
<b>Impact</b>										
Prison Population			5	29	29	29	29	29	29	29
Field Population			-5	-29	-3	16	16	16	16	16
<b>Population Change</b>					26	44	44	44	44	44

ASSUMPTION (continued)

Although the bill also introduces the potential for a class C felony for repeated aggravated resisting arrest, the impact of creating the aggravated resisting arrest offense as a first offense is what is taken into account in this response. This is done by using the department's standard response to the creation of a new violent class D felony offense.

For each new violent class D felony, the department estimates four people will be sentenced to prison and four to probation. The average sentence for a violent class D felony offense is 5.7 years, of which 4 years will be served in prison with 3 years to first release. The remaining 1.7 years will be on parole. Probation sentences will be 4 years.

Change in prison admissions and probation openings with legislation

	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030
<b>New Admissions</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	4	4	4	4	4	4	4	4	4	4
<b>Probation</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	4	4	4	4	4	4	4	4	4	4
<b>Change (After Legislation - Current Law)</b>										
Admissions	4	4	4	4	4	4	4	4	4	4
Probations	4	4	4	4	4	4	4	4	4	4
<b>Cumulative Populations</b>										
Prison	4	8	12	16	16	16	16	16	16	16
Parole				0	4	7	7	7	7	7
Probation	4	8	12	16	16	16	16	16	16	16
<b>Impact</b>										
Prison Population	4	8	12	16	16	16	16	16	16	16
Field Population	4	8	12	16	20	23	23	23	23	23
Population Change	8	16	24	32	36	39	39	39	39	39

The estimated combined cumulative impact of this bill is an additional 44 offenders in prison and (12) offenders under field supervision by FY 2024.

ASSUMPTION (continued)

Change in prison admissions and probation openings with legislation

	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030
<b>New Admissions</b>										
Current Law	26	26	26	26	26	26	26	26	26	26
After Legislation	30	30	30	30	30	30	30	30	30	30
Probation	0	0	0	0	0	0	0	0	0	0
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	4	4	4	4	4	4	4	4	4	4
<b>Change (After Legislation - Current Law)</b>										
Admissions	4	4	4	4	4	4	4	4	4	4
Probations	4	4	4	4	4	4	4	4	4	4
<b>Cumulative Populations</b>										
Prison	4	8	17	44	44	44	44	44	44	44
Parole	0	0	-5	-28	2	23	23	23	23	23
Probation	4	8	12	16	16	16	16	16	16	16
<b>Impact</b>										
Prison Population	4	8	17	44	44	44	44	44	44	44
Field Population	4	8	7	-12	18	39	39	39	39	39
Population Change	8	16	24	32	62	83	83	83	83	83

In response to a similar proposal (HCS HB 1620), officials from the **Missouri Office of Prosecution Services (MOPS)** assumed the proposal will have no measurable fiscal impact on MOPS.

In response to a similar proposal (HCS HB 1620), **Oversight** notes the **Department of Revenue** and the **Department of Public Safety - Missouri State Highway Patrol** have each stated the proposal would not have a direct fiscal impact on their organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

§575.180

In response to a similar proposal (HB 1342), **Oversight** notes the **Department of Revenue**, the **Department of Public Safety - Missouri State Highway Patrol**, the **Joplin Police Department**, the **Springfield Police Department**, and the **St. Louis County Police Department** have stated the proposal would not have a direct fiscal impact on their organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

§577.011

In response to a similar proposal (HCS HB 1488), officials at the **Department of Public Safety - Missouri Highway Patrol** and the **Department of Revenue** each assumed no fiscal impact to their respective agencies from this proposal. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note.

ASSUMPTION (continued)

§§578.018 and 578.030

In response to a similar proposal (HCS HB 2111), officials from the **Department of Agriculture**, the **Department of Corrections**, and the **Department of Public Safety - Missouri Highway Patrol** each assumed the proposal will have no fiscal impact on their respective organizations.

In response to a similar proposal (HCS HB 2111), officials from the **Office of Prosecution Services** assumed the proposal will have no measurable fiscal impact. The creation of a new crime creates additional responsibilities for county prosecutors, which may in turn result in additional costs which are difficult to determine.

**Oversight** notes that the agencies mentioned above have 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 from the **Office of State Public Defender (SPD)** state they cannot assume that existing staff will provide effective representation for any new cases arising where indigent persons charged with the proposed new crime of intentionally euthanizing or sterilizing an animal without proper authority would be charged with a new Class B misdemeanor - subsequent offenses would be a new Class A misdemeanor. The Missouri State Public Defender System is currently providing legal representation in caseloads in excess of recognized standards.

While the number of new cases (or cases with increased penalties) 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 in all cases where the right to counsel attaches.

SPD notes in FY 2019, the Trial Division did not open any cases under charge code 578.018.

**Oversight** assumes there will be minimal (if any) new cases as a result of this proposal, based on the SPD not opening any cases under charge code 578.018 in FY 2019. Therefore, Oversight will not reflect a fiscal impact on the SPD on this fiscal note.

Officials from the **St. Louis County Police Department** assume this proposal would require the department have a police officer apply for all animal confiscation warrants rather than animal control officers.

While the police department currently assists the health department with these cases, the animal control officers would no longer be able to function without police involvement.



ASSUMPTION (continued)

The proposal also removes the ability to post search warrant materials on the property. The proposal would require that a resident of the property be served with the appropriate materials. In some cases this may make executing the search warrant impossible.

The proposal would change the usual disposition hearing following an animal confiscation from thirty days to ten days. There are serious implications of moving the hearing to ten days rather than thirty. For example, many tests completed by the veterinarian and lab will not be completed within ten days. If the tests are completed in the rushed time frame, the case may be found in favor of the pet owner and the police would have wasted time and manpower.

The increase in man hours, paperwork and overtime are difficult to estimate. The police officer's process, if involved in animal confiscation case would be as follows:

The officer would have to compile evidence and apply for a warrant. After approval, the officer would then have to respond to the location where the animal is being maintained with the health department and animal control to serve the warrant. If the owner of the animal is not on-scene, the officer must locate a resident of the property and serve them in person, which may be impossible. After completing all necessary reports and having them approved, the officer would have to respond to a disposition hearing within ten days. During this process, the officer involved would no longer be able to respond to other calls and additional officers would have to complete the work the missing officer would generally complete, generating overtime costs.

According to an officer assigned to the Problem Properties Unit, the current process to confiscate animals takes an average of 24 to 40 hours to complete from start to finish. If the process were changed, there could be an increase of hours worked.

**Oversight** assumes local law enforcement agencies could incur increased costs related to this proposal; therefore, Oversight will reflect an "Unknown" cost to law enforcement agencies on the fiscal note.

In response to a similar proposal (HCS HB 2111), officials from the **Springfield Police Department** assumed the proposal will have no fiscal impact on their organization.

**Oversight** notes that the agencies mentioned above have 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.

ASSUMPTION (continued)

Oversight assumes any confiscated animal care costs, should the animal owner be acquitted, has an inability to pay before the initial disposition hearing, or upon conviction, would be incurred by veterinarians, local government dog pounds, animal shelters, animal rescue facilities, or another third party with existing animal care facilities approved by the court.

§§578.419, 578.421, 578.423, and 578.425

Although the impact of changes will result in longer and harsher prison sentences, however, due to infrequent number of occurrences and scarce data, the DOC can potentially state no foreseen significant fiscal impact by the changes proposed in these sections.

**Oversight** does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect DOC's no impact for these sections for fiscal note purposes.

In response to a similar proposal (SB 601), **Oversight** noted the **Department of Public Safety - Missouri National Guard**, and the **Missouri Department of Conservation** have each stated the proposal would not have a direct fiscal impact on their respective organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Officials from the **Office of State Public Defender (SPD)** stated they cannot assume that existing staff will provide effective representation for any new cases arising where indigent persons are charged with the enhanced penalties for offenses committed using a dangerous or deadly weapon. The Missouri State Public Defender System is currently providing legal representation in caseloads in excess of recognized standards.

While the number of new cases (or cases with increased penalties) 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 in all cases where the right to counsel attaches.

**Oversight** notes over the last three fiscal years, the SPD has lapsed a total of \$153 of General Revenue appropriations (\$2 out of \$28.0 million in FY 2017; \$150 out of \$42.5 million in FY 2018; and \$1 out of \$46.0 million in FY 2019). Therefore, Oversight assumes the SPD is at maximum capacity, and the increase in workload resulting from this bill cannot be absorbed with SPD's current resources.

Adding one additional Assistant Public Defender 1 (APD) with a starting salary of \$47,000, will cost approximately \$74,500 per year in personal service and fringe benefit costs. One additional APD II (\$52,000 per year; eligible for consideration after 1 year of successful performance at

ASSUMPTION (continued)

APD I) will cost the state approximately \$81,000 per year in personal service and fringe benefit costs. When expense and equipment costs such as travel, training, furniture, equipment and supplies are included, Oversight assumes the cost for a new APD could approach \$100,000 per year.

**Oversight** assumes the SPD cannot absorb the additional caseload that may result from this proposal within their existing resources and, therefore, will reflect a potential additional cost of (Less than \$100,000) per year to the General Revenue Fund.

In response to a similar proposal (SS SB 600), officials from the **Missouri Office of Prosecution Services (MOPS)** assumed the proposal will have no measurable fiscal impact on MOPS.

In response to a similar proposal (SS SB 600), **Oversight** notes the **Department of Public Safety - Missouri State Highway Patrol** 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 in the fiscal note for these agencies.

§§579.040 and 579.076

Officials from the **Department of Health and Senior Services (DHSS)** stated the proposed legislation would require any entity that possesses, distributes, or delivers hypodermic needles or syringes for the purpose of operating a syringe exchange program or mitigating health risks that are associated with unsterile drug use to register with the DHSS. The proposed legislation would also not allow a registered entity to be within five hundred feet of any school building, unless it was in operation prior to the school building. DHSS would be responsible for registering entities, and it is assumed that DHSS would also be responsible for ensuring that the entity was not within five hundred feet of a school as part of the registration process. The duties associated with the registration of entities would require an additional 25 hours per year by a Health Program Representative, which would be a total cost of \$512.75 annually. (HPR average salary \$42,665 and average hourly salary of \$20.51 x 25 hours = \$512.75).

The department anticipates being able to absorb these costs. However, until the FY21 budget is final, the department cannot identify specific funding sources.

**Oversight** does not have any information to the contrary. Oversight assumes the DHSS has sufficient staff and resources to perform the additional work required by this proposal and will reflect no fiscal impact for the DHSS for fiscal note purposes.

ASSUMPTION (continued)

In response to a similar proposal (HB 1486), **Oversight** notes the **Missouri Office of Prosecution Services** has stated the proposal would not have a measurable fiscal impact on their organization. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this organization.

In response to a similar proposal (HB 1486), officials from the **Cooper County Public Health Center** assumed unknown revenues and savings, as well as unknown costs and potential losses, related to this proposal.

**Oversight** notes the Cooper County Public Health Center did not elaborate on the unknown fiscal impact of this proposal and did not provide any additional follow-up information. Therefore, Oversight assumes the Cooper County Public Health Center's unknown revenues/savings and unknown costs/losses will be minimal and absorbable within current funding levels and no fiscal impact will be assumed for fiscal note purposes.

In response to a similar proposal (SB 668), officials from the **Columbia/Boone County Department of Public Health and Human Services** stated the proposal would not have a direct fiscal impact on their organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this organization.

§§579.065 and 579.068

Officials from the **Department of Public Safety - Missouri State Highway Patrol (MHP)** state from January 1 to December 9, 2019, the Crime Laboratory Division qualitatively tested 937 items containing a weighable amount (>0.01 gram) of powder, liquid, or solid containing fentanyl/fentanyl derivatives. The proposed legislation would necessitate an additional, quantitative, test be performed.

Due to the nature of fentanyl/fentanyl derivatives as an abused drug, it would be expected that the concentration of the drug in any given sample would be less than 10%. Four hundred and twelve of the 937 items tested, had a weight of less than 0.10 gram. To meet the lowest threshold of 10 milligrams in the proposed bill, at the concentrations anticipated in the samples, it is likely that multiple items from these cases will need both additional qualitative testing and quantitative testing. The MHP estimates this number to be approximately 400 items. The additional qualitative testing would take approximately 400 personnel hours per year.

The laboratory does not currently have a method in place to perform quantitative testing on fentanyl/fentanyl derivatives. It is anticipated, developing and testing a method would take a full-time employee approximately three months or 520 personnel hours.

ASSUMPTION (continued)

If the method developed was similar to our current quantitative method(s), the cost for standards to generate a curve would be approximately \$855. Approximately 32 samples would be able to be run on each curve. The total estimated cost for running the method would be (\$26.71/sample x 1337 samples) \$35,711 per year.

The 937 items already qualitatively tested plus the additional estimated 400 items that would be qualitatively tested, result in an estimated 1,337 items that would require quantitative testing on the new method. Based on quantitative methods in place currently, the MHP estimates a full-time employee would be able to quantitative analyze 40-50 items per month. The quantitative testing would take approximately 5,150 personnel hours per year (3 FTE).

**Oversight** does not have any information contrary to that provided by MHP. Therefore, Oversight will reflect MHP's impact for fiscal note purposes.

Officials from the **Department of Corrections (DOC)** state §579.065 (1) removes the upper weight limits of various drugs, and adds one gram or more of flunitrazepam for the first offense, Any amount of gamma-hydroxybutyric acid for the first offense, and more than ten milligrams of fentanyl in the 1st degree drug trafficking offense. The trafficking of all these drugs as a 1st degree offense is a class B felony.

However, trafficking these drugs in larger quantities, as per weights specified by this bill, is a class A felony. Similarly, trafficking one gram or more of flunitrazepam for a second or subsequent offense, any amount of gamma-hydroxybutyric acid for a second or subsequent offense, or twenty milligrams or more of fentanyl is also a class A felony.

Section 579.068 establishes the drug trafficking offenses in 2nd degree. This section also removes the upper weight limits of various drugs, and adds more than ten milligrams of fentanyl in the 2nd degree drug trafficking offense. The trafficking of all these drugs as a 2nd degree offense is a class C felony, and is a class B felony for larger quantities. Trafficking of less than one gram of flunitrazepam, in the 2nd degree, is a class C felony. It is a class B felony for a repeated offense.

Flunitrazepam is not approved by the FDA and is illegal. The effects of overdosing is known and may be increased with the use of opioids. Gamma-Hydroxybutyric is an approved Schedule 1 drug that is used to treat narcolepsy. Both drugs have illegal street uses but the impact of changing the felony class is considered to have little impact upon on the DOC. Very few offenders receive prison sentences for possession unless the offenders have multiple convictions.

ASSUMPTION (continued)

Offenders sentenced to probation will serve the same time on probation (three years after earning compliance credits).

The bill adds felony classes A and B for these drugs (flunitrazepam, fentanyl and gamma-hydroxybutyric acid) if they are charged under trafficking 1st degree, depending upon quantity of drugs involved and first or subsequent offense. Similarly, it adds them to felony B and C, if the offense is charged under trafficking 2nd degree.

We are expecting that the average sentence length and average first releases from the prison as well as parole and probation sentences will remain the same for these new offenders, however their number may increase because of the addition of new drugs under this legislation.

In FY2019, there were seven new admissions under charges of 1st degree drug trafficking class A felony, with 12.5 years of average sentence, and 7.2 years average time for first release, 4 new probations with average term of 5 years. For 1st degree class B felony, there were six new admissions with average sentence of 8.7 years and four new probations with average term of 5 years.

For 2nd degree drug trafficking felony class A, there were five new admissions with an average sentence of 10.7 years, 6.7 years to first release and 5 new probations with 4.2 years average probation term. For class B felony, there were 30 new admissions, 9.7 years average sentence, 2.8 years to first release and 6 new probations with 4.7 years average term.

For 2nd degree drug trafficking class C felony, there were 11 new admissions with 7.2 years average sentence length, 1.3 years to first release, and 14 new probations with 3.8 years average term length.

Estimating that the changes in the bill result in an increase of at least 30% new admissions and probations, based on the addition of three new drugs to the list, and assuming the same sentence lengths, the likely impact will be approximately 96 new prison admissions and 109 additional field population by FY2030.

ASSUMPTION (continued)

Change in prison admissions and probation openings with legislation

	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030
<b>Drug Trafficking 1st Degree Class A</b>										
Prison Population	2	4	6	8	11	13	15	17	19	19
Field Population	1	2	4	5	6	6	6	6	6	8
<b>Drug Trafficking 1st Degree Class B</b>										
Prison Population	2	4	5	7	7	7	7	7	7	7
Field Population	1	2	4	5	8	10	11	13	14	14
<b>Drug Trafficking 2nd Degree Class A</b>										
Prison Population	2	3	5	6	8	9	11	12	12	12
Field Population	2	3	5	6	6	6	6	6	8	9
<b>Drug Trafficking 2nd Degree Class B</b>										
Prison Population	9	18	27	36	45	47	47	47	47	47
Field Population	2	4	5	7	8	16	25	34	43	49
<b>Drug Trafficking 2nd Degree Class C</b>										
Prison Population	3	7	10	11	11	11	11	11	11	11
Field Population	4	8	13	18	21	25	28	29	29	29
<b>Cumulative Impact</b>										
Prison Population	18	35	54	69	82	87	91	94	96	96
Field Population	10	20	30	41	50	62	76	87	100	109
Population Change	28	55	84	110	132	149	167	181	196	205

Officials from the **Office of State Public Defender (SPD)** state they cannot assume that existing staff will provide effective representation for any new cases arising where indigent persons are charged with the proposed new crime of trafficking fentanyl, or gamma-hydroxybutyric acid, or flunitrazepam. The Missouri State Public Defender System is currently providing legal representation in caseloads in excess of recognized standards.

In Fiscal Year 2019, SPD's Trial Division opened 193 drug cases of the 62,002 total cases opened.

Statute	Description	Number of Cases
579.065	Trafficking Drugs 1 <sup>st</sup> Degree	55
579.068	Trafficking Drugs 2 <sup>nd</sup> Degree	138
	<b>Total Cases</b>	193

While the number of new cases (or cases with increased penalties) 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 in all cases where the right to counsel attaches.

ASSUMPTION (continued)

**Oversight** notes over the last three fiscal years, the SPD has lapsed a total of \$153 of General Revenue appropriations (\$2 out of \$28.0 million in FY 2017; \$150 out of \$42.5 million in FY 2018; and \$1 out of \$46.0 million in FY 2019). Therefore, Oversight assumes the SPD is at maximum capacity, and the increase in workload resulting from this bill cannot be absorbed with SPD's current resources.

Adding one additional Assistant Public Defender 1 (APD) with a starting salary of \$47,000, will cost approximately \$74,500 per year in personal service and fringe benefit costs. One additional APD II (\$52,000 per year; eligible for consideration after 1 year of successful performance at APD I) will cost the state approximately \$81,000 per year in personal service and fringe benefit costs. When expense and equipment costs such as travel, training, furniture, equipment and supplies are included, Oversight assumes the cost for a new APD could approach \$100,000 per year.

**Oversight** assumes the SPD cannot absorb the additional caseload that may result from this proposal within their existing resources and, therefore, will reflect a potential additional cost of (Less than \$100,000) per year to the General Revenue Fund.

In response to a similar proposal (HB 1450), officials from the **Missouri Office of Prosecution Services (MOPS)** assumed the proposal will have no measurable fiscal impact on MOPS.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note for this agency.

§§589.400, 589.401, 589.404, and 589.414

Officials from the **Department of Corrections (DOC)** state the DOC is responsible for supervising those who are charged with failure to register. Failure to register as a sex offender is in violation of §589.425, RSMo, with penalties of class D, E, or unclassified felonies. While this bill proposes no new penalties, the expanded registry population increases the potential of a violation of §589.425, RSMo. In FY 2019, there were 267 new court commitments to the department under §589.425, RSMo. Of those, 187 were probation cases, 29 were new commitments for 120 days, and 51 were prison sentences. As of January 13, 2020, the Missouri sex offender registry had 16,469 offenders in the registry (Missouri State Highway Patrol 2020). Based on the results of an audit by the Office of State Auditor (Galloway 2018), we can expect approximately 8 percent of those offenders (1,318) are noncompliant with registration at any given time.



ASSUMPTION (continued)

Given the proposed legislation increases the monitoring requirements for offenders who are already supervised by the department, it increases the likelihood that an offender will fail to register. However, given that the cases affected by this proposal are already monitored and the estimate that 20 percent of noncompliant cases result in a new court commitment for failure to register under §589.425, RSMo, the department does not expect a significant impact on operations. Therefore, passage of this legislation is expected to have no impact on the department.

**Oversight** does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect DOC's no impact for fiscal note purposes.

In response to a similar proposal (HCS HB 1289), officials from the **Missouri Office of Prosecution Services (MOPS)** assumed the proposal will have no measurable fiscal impact on MOPS.

In response to a similar proposal (HCS HB 1289), **Oversight** notes the **Department of Health and Senior Services**, the **Department of Public Safety - Missouri State Highway Patrol**, the **State Public Defender's Office**, and the **Springfield Police Department** have each stated the proposal would not have a direct fiscal impact on their respective organizations.

In response to a previous version (HB 1289), officials from the **St. Louis County Police Department** 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 in the fiscal note for these agencies.

§589.805

In response to a similar proposal (SB 572), officials from the **Department of Public Safety (DPS)** stated §589.805 requires the DPS to establish a pilot program known as the "Community Crime Reduction Grant Program" to qualifying municipal police departments as provided under subsection 2.

DPS is also required to administer the grants issued and promulgate all necessary rules and regulations for the administration of this section.

Due to the effort required to establish the grant program and to then administer the grants, DPS will require one (1) FTE Program Specialist (at \$46,171). This would be a new grant program to the department. Costs relative to this new grant program would be as follows:

ASSUMPTION (continued)

Program Specialist	\$46,171
Fringe Benefits	\$26,853
Chair	\$574
File Cabinet	\$599
Calculator	\$40
ITSD One-Time Costs (PC/Monitor/Software)	\$1,425
On-Going Office Supplies	\$372
On-Going ITSD Expenses	<u>\$478</u>
<b>Total</b>	<b>\$76,512</b>

The grant program covered by this legislation is subject to appropriation by the general assembly. There is also a dedicated fund created to support this section. DPS will need administrative support funding to adequately achieve the intent of this legislation.

The appropriation/gifts will set the size or level of the grant program overseen by DPS. Depending on how this grant program is established and managed, there could be an increase in maintenance costs to our grant management system that cannot be calculated at this point.

The cumulative impact of changes proposed within a 10-year timeframe is as follows:

	# to prison	Cost per year	Total Costs for <b>prison</b>	Change in probation & parole officers	Total savings for <b>probation and parole</b>	# to Probation and Parole	Grand Total - Prison and Probation (includes a 2% inflation)
Year 1	103	(\$6,386)	(\$548,132)	(1)	\$65,563	(57)	(\$484,569)
Year 2	221	(\$6,386)	(\$1,439,532)	(2)	\$151,083	(130)	(\$1,288,449)
Year 3	346	(\$6,386)	(\$2,298,822)	(4)	\$306,060	(208)	(\$1,992,762)
Year 4	491	(\$6,386)	(\$3,327,445)	(4)	\$310,011	(224)	(\$3,017,434)
Year 5	601	(\$6,386)	(\$4,154,359)	(3)	\$235,521	(181)	(\$3,918,839)
Year 6	700	(\$6,386)	(\$4,935,462)	(2)	\$159,056	(132)	(\$4,776,406)
Year 7	795	(\$6,386)	(\$5,717,380)	(1)	\$80,567	(100)	(\$5,636,813)
Year 8	892	(\$6,386)	(\$6,543,272)	(1)	\$81,622	(82)	(\$6,461,650)
Year 9	905	(\$6,386)	(\$6,771,406)	(1)	\$82,696	(65)	(\$6,688,710)
Year 10	907	(\$6,386)	(\$6,922,098)	(1)	\$83,788	(54)	(\$6,838,310)

ASSUMPTION (continued)

If this impact statement has changed from statements submitted in previous years, it is because the DOC has changed the way probation and parole daily costs are calculated to more accurately reflect the way the Division of Probation and Parole is staffed across the entire state.

In December 2019, the DOC reevaluated the calculation used for computing the Probation and Parole average daily cost of supervision and revised the cost calculation to be used for 2020 fiscal notes. For the purposes of fiscal note calculations, the DOC averaged district caseloads across the state and came up with an average caseload of 51 offender cases per officer. The new calculation assumes that an increase/decrease of 51 cases would result in a change in costs/cost avoidance equal to the cost of one FTE staff person. Increases/decreases smaller than 51 offenders are assumed to be absorbable.

In instances where the proposed legislation would only affect a specific caseload, such as sex offenders, the DOC will use the average caseload figure for that specific type of offender to calculate cost increases/decreases. For instances where the proposed legislation affects a less specific caseload, DOC projects the impact based on prior year(s) actual data for DOC's 44 probation and parole districts.

The DOC cost of incarceration is \$17,496 per day or an annual cost of \$6,386 per offender. The DOC cost of probation or parole is determined by the number of P&P Officer II positions that would be needed to cover the new caseload.

**Oversight** does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect DOC's impact for fiscal note purposes.

Officials from the **Columbia Police Department (CPD)** state the City of Columbia would qualify for funding. Since it is not possible to estimate how much would actually be available to the City of Columbia, we assume a positive fiscal impact since new funds would be available on a matching basis for officers and for the full cost of training specified in the bill.

**Oversight** contacted the CPD to determine the number of sworn and civilian employees, starting salary for an officer, fringe benefit rate, and an estimate of the City of Columbia's population. According to CPD, the City's approved budget document estimates a 2020 population of 124,537 and states the CPD has 184 sworn and 41 civilian employees. Therefore, using a future estimated population of 125,000, meeting the "two officers per one thousand people" threshold as stated in the bill would require 250 police officers. Oversight assumes this refers to sworn officers and does not include civilian employees. Therefore, CPD would need to add approximately 66 (250-184) police officers to meet the threshold.

ASSUMPTION (continued)

CPD states the starting salary for a police officer is \$46,354 and fringe benefits are calculated at a rate of 67.36 percent. Therefore, an additional 66 police officers would equate to \$5,120,152 (66 x (\$46,354 x 1.6736)) in costs. Under §589.805.3(1), the state would provide fifty percent (\$2,560,076) of this funding. Additional costs may be incurred under subdivision (2), where the state pays for the new officers to attend at least one seminar relating to fair and impartial policing and one seminar related to racial sensitivity.

**Oversight** does not have any information contrary to that provided by CPD. Therefore, Oversight will reflect CPD's impact for fiscal note purposes.

In response to a similar proposal (SB 572), 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 \$5,000. 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.

**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 require additional resources.

In response to a similar proposal (SB 572), officials from the **Joint Committee on Administrative Rules (JCAR)** stated the legislation is not anticipated to cause a fiscal impact to JCAR beyond its current appropriation.

In response to a similar proposal (SB 572), **Oversight** notes the **State Treasurer's Office** and the **St. Joseph Police Department** have each stated the proposal would not have a direct fiscal impact on their organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

**Oversight** assumes, for fiscal note purposes, that appropriations to the Community Crime Reduction Program Fund will be distributed as grants in the same fiscal year for which moneys are appropriated.

ASSUMPTION (continued)

§590.207

In response to a similar proposal (HCS HB 1961), officials from the **Missouri Highway Patrol** assumed this proposal will have no direct fiscal impact on their agency.

Officials from the **Department of Elementary and Secondary Education** assume this proposal will likely have an impact on local school districts. We defer to them regarding the extent of any impact.

In response to a similar proposal (HCS HB 1961), officials from **Gasconade County R-I School District** assumed the cost associated with each person being trained to be a school protection officers would be \$10,000 or more. A district would want to have at least one person trained per building so if you have 3 buildings would have \$30,000 or more in cost for training.

We would want to stipend them in some way to be this officer since there will be time used outside of regular contracts. Would look at around \$1,000 per individual.

In response to a similar proposal (HCS HB 1961), officials from **Wellsville Middletown R-I School District** say in that our board has shown no inclination to allow for school protection officers or a person of any other designation that would allow any person who is not a law enforcement officer to carry firearms in our school, I don't believe this bill will currently have any fiscal impact on our school.

**Oversight** assumes that because this bill permits, but does not require additional school resource officers, that it will have no direct fiscal impact on state agencies and that fiscal impacts on school districts will be at the discretion of the school districts.

§640.042

Officials from the **Department of Natural Resources (DNR)** assume the proposal will have no fiscal impact on their organization.

**Oversight** inquired of DNR as to if they have an existing interactive map of hazardous waste sites. DNR stated they do have a map of hazardous waste sites (<https://dnr.mo.gov/ESTART/>). In addition, they have a handful of high priority, high visibility sites that have their own web pages and those pages allow individuals to sign up for updates. The vast majority of the sites in the ESTART mapper do not have their own separate web page dedicated to the site.

ASSUMPTION (continued)

**Oversight** notes that DNR 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 DNR.

§§640.142, 640.144 and 640.145

In response to a similar proposal (HCS HB 2120), officials from the **Department of Economic Development** and **Department of Corrections** each assumed the proposal will have no fiscal impact on their respective organizations.

**Oversight** notes that the agencies mentioned above have 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.

In response to a similar proposal (HCS HB 2120), officials from the **City of St. Louis Water Division** assumed the proposal will have no fiscal impact on their organization.

**Oversight** notes that the agencies mentioned above have 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.

**Oversight** notes that cities with a population of less than 30,000 could incur costs to upgrade their water systems and perform the required inspections listed in this proposal; therefore, Oversight will reflect an “unknown” cost to local political subdivisions.

§610.021

In response to a similar proposal (HB 1366), **Oversight** notes the **Secretary of State, State Treasurer, Office of Administration, Department of Revenue, Department of Public Safety, House Appropriations, Department of Conservation, Department of Elementary and Secondary Education, Department of Agriculture, Department of Health and Senior Services, Missouri State Highway Patrol, Missouri Office of Prosecution Services, Administrative Hearing Commission, Missouri National Guard, Joint Committee on Public Employee Retirement, State Technical College of Missouri, Capitol Police, Jackson County Election Board, Kansas City Public School Retirement System, City of Riverside, Springfield Police, St. Louis County Police Department, Employees’ Retirement System of the City of St. Louis, and the St. Louis County Directors of Elections** have each stated the proposal would not have a direct fiscal impact on their organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

ASSUMPTION (continued)

Because of the consistent and broad response, **Oversight** concludes this proposal will likely have no direct fiscal impact to state agencies or local political subdivisions.

Bill as a Whole

Officials from the **Joint Committee on Administrative Rules (JCAR)** state the legislation is not anticipated to cause a fiscal impact to JCAR beyond its current appropriation.

**Oversight** assumes JCAR will be able to administer any rules resulting from this proposal with existing resources.

**Oversight** notes the **Missouri State Employees' Retirement System**, the **Attorney General's Office**, the **Lottery Commission**, the **Department of Labor and Industrial Relations**, the **Department of Transportation**, the **Department of Public Safety - Divisions of Fire Safety, Gaming Commission, State Emergency Management Agency** and the **Missouri Veterans Commission**), the **Administrative Hearing Commission**, the **Missouri Ethics Commission**, the **Department of Higher Education & Workforce Development**, the **Department of Higher Education & Workforce Development**, **Legislative Research**, the **State Tax Commission**, the **Department of Natural Resources**, the **Missouri Consolidated Health Care Plan**, the **State Auditor's Office**, the **MoDOT & Patrol Employees' Retirement**, the **Department of Mental Health**, the **St. Louis County Board of Elections**, the **Jackson County Election Board**, the **City of Kansas City**, the **St. Louis Metropolitan Sewer District**, the **St. Louis County Department of Justice Services**, the **University of Central Missouri** and the **Kansas City Board of Election Commissioners** have each stated the proposal would not have a direct fiscal impact on their organizations.

In response to a previous version, **Oversight** notes the **Department of Commerce and Insurance**, the **Department of Social Services**, the **Platte County Board of Elections**, and the **City of O'Fallon** have each stated the proposal would not have a direct fiscal impact on their organizations. **Oversight** does not have any information to the contrary. Therefore, **Oversight** will reflect a zero impact in the fiscal note for these agencies.

**Oversight** only reflects the responses that we have received from state agencies and political subdivisions; however, other sheriff's and police departments, cities, counties, utilities, hospitals, colleges and universities, public schools, circuit courts, fire departments, LEAs, LPAs, BECs, and the St. Louis Regional Convention and Sports Center were requested to respond to this proposed legislation but did not. A general listing of political subdivisions included in our database is available upon request.

<u>FISCAL IMPACT -</u> <u>State Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023	Fully Implemented (FY 2038)
<b>GENERAL REVENUE FUND</b>				
<u>Revenue - DOR -</u> §§94.900 & 94.902 - 1% DOR Collection fee	\$0	\$0 to \$19,603	\$0 to \$29,993	\$0 to \$29,993
<u>Revenue - DOR 1%</u> collection fee (\$321.552)	\$0	\$0 or Up to \$739,981	\$0 or Up to \$739,981	\$0 or Up to \$739,981
<u>Savings - DOC</u> Change in P&P Officers				
Personal Services	\$32,294	\$78,280	\$158,128	\$158,128
Fringe Benefits	\$20,350	\$49,328	\$99,644	\$99,644
Equipment and Expense	<u>\$10,919</u>	<u>\$23,475</u>	<u>\$48,288</u>	<u>\$48,288</u>
<u>Total Savings - DOC</u>	<u>\$63,563</u>	<u>\$151,083</u>	<u>\$306,060</u>	<u>\$306,060</u>
FTE Change - DOC	(1) FTE	(2) FTE	(4) FTE	(4) FTE
<u>Costs - CP (§8.177)</u> One-time costs to replace emblems, uniforms, patches	(\$28,652)	\$0	\$0	\$0
<u>Costs - OA/ITSD</u> (§8.177) Moving CP information and programs from DPS to Capitol Police Board	(Unknown)	\$0	\$0	\$0



<u>FISCAL IMPACT -</u> <u>State Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023	Fully Implemented (FY 2038)
<b>GENERAL REVENUE FUND</b> (continued)				
<u>Costs - MHR</u> (\$8,177)				
Personal Services	(\$38,333)	(\$46,460)	(\$46,925)	(\$46,925)
Fringe Benefits	(\$22,330)	(\$26,949)	(\$27,104)	(\$27,104)
Equipment and Expense	<u>(\$3,333)</u>	<u>(\$4,100)</u>	<u>(\$4,203)</u>	<u>(\$4,203)</u>
<u>Total Costs - MHR</u>	<u>(\$63,996)</u>	<u>(\$77,509)</u>	<u>(\$78,232)</u>	<u>(\$78,232)</u>
FTE Change - MHR	1 FTE	1 FTE	1 FTE	1 FTE
 <u>Costs - DOR</u> (\$32,056)				
Personal services	Up to...	Up to...	Up to...	Up to...
	(\$76,260)	(\$92,427)	(\$93,351)	(\$93,351)
Fringe benefits	(\$59,886)	(\$65,255)	(\$65,562)	(\$65,562)
Expense and equipment	<u>(\$16,365)</u>	<u>(\$1,144)</u>	<u>(\$1,172)</u>	<u>(\$1,172)</u>
<u>Total Costs - DOR</u>	<u>(\$152,511)</u>	<u>(\$158,826)</u>	<u>(\$160,085)</u>	<u>(\$160,085)</u>
FTE Change - DOR	Up to 3 FTE	Up to 3 FTE	Up to 3 FTE	Up to 3 FTE
 <u>Costs - DOC</u> Increased incarceration costs				
	(\$548,132)	(\$1,439,532)	(\$2,298,822)	Could significantly exceed (\$6,922,098)
 <u>Costs - SPD</u> Salaries, fringe benefits, and equipment and expense				
	(Less than \$100,000)	(Less than \$100,000)	(Less than \$100,000)	(Less than \$100,000)

<u>FISCAL IMPACT -</u> <u>State Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023	Fully Implemented (FY 2038)
<b>GENERAL REVENUE FUND</b> (continued)				
<u>Costs - MHP</u> (§§579.065 and 579.068)				
Personal Service	(\$147,240)	(\$178,455)	(\$180,239)	(\$193,241)
Fringe Benefits	(\$131,456)	(\$159,325)	(\$160,917)	(\$172,526)
Expense and Equipment	(\$86,785)	(\$84,728)	(\$86,846)	(\$103,232)
<u>Total Costs - MHP</u>	<u>(\$365,481)</u>	<u>(\$422,508)</u>	<u>(\$428,002)</u>	<u>(\$468,999)</u>
FTE Change - MHP	3 FTE	3 FTE	3 FTE	3 FTE
<u>Costs - DPS</u> (§491.641)				
Administer Pretrial Witness Protection Services Fund				
	\$0 or...	\$0 or...	\$0 or...	\$0 or...
Personal Services	(\$38,476)	(\$46,633)	(\$47,099)	(\$47,099)
Fringe Benefits	(\$22,378)	(\$27,007)	(\$27,162)	(\$27,162)
Equipment and Expense	(\$3,346)	(\$871)	(\$893)	(\$893)
<u>Total Cost - DPS</u>	<u>\$0 or (\$64,200)</u>	<u>\$0 or (\$74,511)</u>	<u>\$0 or (\$75,154)</u>	<u>\$0 or (\$75,154)</u>
FTE Change - DPS	0 or 1 FTE	0 or 1 FTE	0 or 1 FTE	0 or 1 FTE
<u>Costs - DPS</u> (§589.805) to establish and administer the grant program				
Personal service (1 FTE)	(\$38,476)	(\$46,633)	(\$47,099)	(\$47,099)
Fringe benefit	(\$22,378)	(\$27,007)	(\$27,162)	(\$27,162)
Expense and Equipment	(\$3,346)	(\$871)	(\$893)	(\$893)
<u>Total Costs - DPS</u>	<u>(\$64,200)</u>	<u>(\$74,511)</u>	<u>(\$75,154)</u>	<u>(\$75,154)</u>
FTE Change - DPS	1 FTE	1 FTE	1 FTE	1 FTE

<u>FISCAL IMPACT -</u> <u>State Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023	Fully Implemented (FY 2038)
<b>GENERAL REVENUE FUND</b> (continued)				
<u>Costs - DPS</u> (§589.805)				
Appropriation to Community Crime Reduction Program Fund (Subject to appropriation)				
	(Could exceed \$2,133,397)	(Could exceed \$2,560,076)	(Could exceed \$2,560,076)	(Could exceed \$2,560,076)
 Costs - OSCA (§211.071) Raises the age for a juvenile				
	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
 <u>Transfer Out - To</u> Pretrial Witness Protection Services Fund				
	(\$1,000,000)	(\$1,000,000)	(\$1,000,000)	(\$1,000,000)
<b>ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND</b>	<b>(Could exceed <u>\$4,457,006</u>)</b>	<b>(Could exceed <u>\$4,996,806</u>)</b>	<b>(Could exceed <u>\$5,699,491</u>)</b>	<b>Could significantly exceed <u>(\$10,363,764)</u></b>
 Estimated Net FTE Change for General Revenue				
	Up to 6 or 7 FTE	Up to 6 or 7 FTE	Up to 4 or 5 FTE	Up to 4 or 5 FTE

<u>FISCAL IMPACT -</u> <u>State Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023	Fully Implemented (FY 2038)
<b>DEPARTMENT OF PUBLIC SAFETY (Across all funds)</b>				
<u>Reallocation -</u> Adjutant General funding and 469.05 FTE from DPS to the Department of Defense				
	<u>\$0 or</u> <u>\$22,485,373</u>	<u>\$0 or</u> <u>\$44,970,747</u>	<u>\$0 or</u> <u>\$44,970,747</u>	<u>\$0 or</u> <u>\$44,970,747</u>
<b>ESTIMATED NET EFFECT TO THE DEPARTMENT OF PUBLIC SAFETY (Across all funds)</b>				
	<u>\$0 or</u> <u>\$22,485,373</u>	<u>\$0 or</u> <u>\$44,970,747</u>	<u>\$0 or</u> <u>\$44,970,747</u>	<u>\$0 or</u> <u>\$44,970,747</u>
<b>DEPARTMENT OF DEFENSE (Across all funds)</b>				
<u>Reallocation -</u> Adjutant General funding and 469.05 FTE into the Department of Defense				
	\$0 or (\$22,485,373)	\$0 or (\$44,970,747)	\$0 or (\$44,970,747)	\$0 or (\$44,970,747)
<u>Costs - MNG-DOD</u> Additional Personal Services expenses (could exceed 2 FTE)				
	<u>\$0 or (Could</u> <u>exceed</u> <u>\$200,000)</u>	<u>\$0 or (Could</u> <u>exceed</u> <u>\$200,000)</u>	<u>\$0 or (Could</u> <u>exceed</u> <u>\$200,000)</u>	<u>\$0 or (Could</u> <u>exceed</u> <u>\$200,000)</u>
<b>ESTIMATED NET EFFECT TO THE DEPARTMENT OF DEFENSE (Across all funds)</b>				
	<u>\$0 or</u> <u>(\$22,485,373, or</u> <u>could exceed</u> <u>\$22,685,373)</u>	<u>\$0 or</u> <u>(\$44,970,747, or</u> <u>could exceed</u> <u>\$45,170,747)</u>	<u>\$0 or</u> <u>(\$44,970,747, or</u> <u>could exceed</u> <u>\$45,170,747)</u>	<u>\$0 or</u> <u>(\$44,970,747, or</u> <u>could exceed</u> <u>\$45,170,747)</u>

<u>FISCAL IMPACT -</u> <u>State Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023	Fully Implemented (FY 2038)
<b>DEPARTMENT OF PUBLIC SAFETY</b>				
<u>Reallocation - CP funding and 40 FTE from DPS to Capitol Police Board</u>	<u>\$1,805,953</u>	<u>\$1,805,953</u>	<u>\$1,805,953</u>	<u>\$1,805,953</u>
<b>ESTIMATED NET EFFECT TO THE DEPARTMENT OF PUBLIC SAFETY</b>	<b><u>\$1,805,953</u></b>	<b><u>\$1,805,953</u></b>	<b><u>\$1,805,953</u></b>	<b><u>\$1,805,953</u></b>
<b>MISSOURI STATE CAPITOL POLICE BOARD</b>				
<u>Reallocation - CP funding and 40 FTE into the Commission</u>	<u>(\$1,805,953)</u>	<u>(\$1,805,953)</u>	<u>(\$1,805,953)</u>	<u>(\$1,805,953)</u>
<b>ESTIMATED NET EFFECT TO THE CAPITOL POLICE BOARD</b>	<b><u>(\$1,805,953)</u></b>	<b><u>(\$1,805,953)</u></b>	<b><u>(\$1,805,953)</u></b>	<b><u>(\$1,805,953)</u></b>

FISCAL IMPACT -  
State Government

	FY 2021 (10 Mo.)	FY 2022	FY 2023	Fully Implemented (FY 2038)
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**CRIMINAL  
 RECORD  
 SYSTEM FUND  
 (0671)**

Income - DPS, MHP  
 (\$195.815) Increase  
 in background check  
 fees

\$76,560	\$43,472 to \$85,800	\$43,472 to \$85,800	\$43,472 to \$85,800
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Revenue Gain or  
(Loss) - from  
 backgrounds checks  
 no longer needed for  
 different districts

Unknown to (Unknown)	Unknown to (Unknown)	Unknown to (Unknown)	Unknown to (Unknown)
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Revenue Gain - from  
 background checks  
 on adult students not  
 counted towards  
 average daily  
 attendance

<u>\$2,200</u>	<u>\$2,200</u>	<u>\$2,200</u>	<u>\$2,200</u>
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Costs - Criminal  
 history system  
 changes

<u>(\$165,000)</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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**ESTIMATED NET  
 EFFECT ON  
 CRIMINAL  
 RECORD  
 SYSTEM FUND**

<u>Unknown to</u> <u>(Could exceed</u> <u>\$86,240)</u>	<u>Unknown to</u> <u>(Unknown)</u>	<u>Unknown to</u> <u>(Unknown)</u>	<u>Unknown to</u> <u>(Unknown)</u>
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<u>FISCAL IMPACT - State Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023	Fully Implemented (FY 2038)
<b>VARIOUS STATE FUNDS</b>				
<u>Revenue - Court costs for tickets for traffic violations (§§173.2700 to 173.2712 and 307.179)</u>	<u>Less than \$100,000</u>	<u>Less than \$100,000</u>	<u>Less than \$100,000</u>	<u>Less than \$100,000</u>
<b>ESTIMATED NET EFFECT ON VARIOUS STATE FUNDS</b>	<u>Less than \$100,000</u>	<u>Less than \$100,000</u>	<u>Less than \$100,000</u>	<u>Less than \$100,000</u>
<b>WATER PATROL DIVISION FUND (0400)</b>				
<u>Revenue Extension - MHP - Extension of Fee (§306.127) from 12/31/2022 to 12/31/2032 - \$9 fee on average of over 3,000 cards issued annually</u>	\$0	\$0	Less than \$30,000	Could exceed \$30,000
<u>Cost - MHP - \$1.25 payment processing fee to Jet Pay</u>	<u>\$0</u>	<u>\$0</u>	<u>Less than \$5,000</u>	<u>Could exceed \$5,000</u>
<b>ESTIMATED NET EFFECT ON THE WATER PATROL DIVISION FUND</b>	<u>\$0</u>	<u>\$0</u>	<u>Less than \$25,000</u>	<u>Could exceed \$25,000</u>

<u>FISCAL IMPACT -</u> <u>State Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023	Fully Implemented (FY 2038)
<b>COLLEGES AND UNIVERSITIES</b>				
<u>Costs</u> - Colleges and Universities (\$190.092) - AED maintenance and upkeep	<u>\$0 or</u> <u>(Unknown)</u>	<u>\$0 or</u> <u>(Unknown)</u>	<u>\$0 or</u> <u>(Unknown)</u>	<u>\$0 or</u> <u>(Unknown)</u>
<b>ESTIMATED NET EFFECT ON COLLEGES AND UNIVERSITIES</b>	<u><b>\$0 or</b></u> <u><b>(Unknown)</b></u>	<u><b>\$0 or</b></u> <u><b>(Unknown)</b></u>	<u><b>\$0 or</b></u> <u><b>(Unknown)</b></u>	<u><b>\$0 or</b></u> <u><b>(Unknown)</b></u>
<b>PRETRIAL WITNESS PROTECTION SERVICES FUND</b>				
<u>Transfer In</u> - From General Revenue Fund	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
<u>Transfer Out</u> - Local Political Subdivisions (Police and Sheriff's Departments)	<u>(\$1,000,000)</u>	<u>(\$1,000,000)</u>	<u>(\$1,000,000)</u>	<u>(\$1,000,000)</u>
<b>ESTIMATED NET EFFECT ON THE PRETRIAL WITNESS PROTECTION SERVICES FUND</b>	<u><b>\$0</b></u>	<u><b>\$0</b></u>	<u><b>\$0</b></u>	<u><b>\$0</b></u>



<u>FISCAL IMPACT -</u> <u>State Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023	Fully Implemented (FY 2038)
<b>COMMUNITY CRIME REDUCTION PROGRAM FUND</b>				
<u>Transfer-in - from</u> General Revenue Fund	Could exceed \$2,133,397	Could exceed \$2,560,076	Could exceed \$2,560,076	Could exceed \$2,560,076
<u>Costs - DPS</u> (\$589.805) Grants (Subject to appropriation)	<u>(Could exceed \$2,133,397)</u>	<u>(Could exceed \$2,560,076)</u>	<u>(Could exceed \$2,560,076)</u>	<u>(Could exceed \$2,560,076)</u>
<b>ESTIMATED NET FISCAL IMPACT TO THE COMMUNITY CRIME REDUCTION PROGRAM FUND</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b>\$0</b>

**FISCAL IMPACT -**  
**Local Government**

FY 2021  
 (10 Mo.)

FY 2022

FY 2023

Fully  
 Implemented  
 (FY 2038)

**POLITICAL  
 SUBDIVISIONS**

Revenue - Additional  
 sales tax for Public  
 Safety (§§94.900 &  
 94.902)

\$0 \$0 to \$1,960,301 \$0 to \$2,999,260 \$0 to \$2,999,260

Revenue - Fine  
 revenue and court  
 costs to various local  
 political subdivisions  
 for tickets written

Less than  
 \$100,000

Less than  
 \$100,000

Less than  
 \$100,000

Less than  
 \$100,000

Revenue - Sales Tax  
 Disbursement to Fire  
 Protection Districts  
 and/or Ambulance  
 Districts (§321.552)

\$0

\$0 or Up to  
 \$73,258,108

\$0 or Up to  
 \$73,258,108

\$0 or Up to  
 \$73,258,108

Revenue - Animal  
 Rescue Facilities -  
 Bond or security for  
 animal care costs  
 from the animal  
 owner (§§578.018  
 and 578.030)

Unknown

Unknown

Unknown

Unknown

Income - Columbia  
 Police Department  
 (§589.805) -  
 Community Crime  
 Reduction grants  
 from DPS

Could exceed  
 \$2,133,397

Could exceed  
 \$2,560,076

Could exceed  
 \$2,560,076

Could exceed  
 \$2,560,076

FISCAL IMPACT -  
Local Government

	FY 2021 (10 Mo.)	FY 2022	FY 2023	Fully Implemented (FY 2038)
<b>POLITICAL SUBDIVISIONS (continued)</b>				
<u>Transfer In</u> - From Witness Protection Services Fund (\$491.641)	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
<u>Savings or Costs</u> - to school districts for substitutes utilizing the additional registration option (\$168.133)	Unknown to (Unknown)	Unknown to (Unknown)	Unknown to (Unknown)	Unknown to (Unknown)
<u>Costs</u> - Columbia Police Department (\$589.805) - Adding additional officers to meet 2 per 1,000 population threshold	<u>(Could exceed \$4,266,794)</u>	<u>(Could exceed \$5,120,152)</u>	<u>(Could exceed \$5,120,152)</u>	<u>(Could exceed \$5,120,152)</u>
<u>Costs</u> - for background checks on adult students not counted towards average daily attendance (\$168.133)	(\$4,175)	(\$4,175)	(\$4,175)	(\$4,175)

FISCAL IMPACT -  
Local Government

FY 2021  
 (10 Mo.)

FY 2022

FY 2023

Fully  
 Implemented  
 (FY 2038)

**POLITICAL  
 SUBDIVISIONS**  
 (continued)

Costs - Animal  
 Rescue Facilities -  
 Care of animals held  
 until final disposition  
 of charges and  
 acquittal or inability  
 to pay (§§578.018  
 and 578.030)

(Unknown)

(Unknown)

(Unknown)

(Unknown)

Costs - Law  
 Enforcement  
 Agencies - Increased  
 duties in the animal  
 confiscation process  
 (§§578.018 and  
 578.030)

(Unknown)

(Unknown)

(Unknown)

(Unknown)

Costs - All Local  
 Governments  
 (§190.092) - AED  
 maintenance and  
 upkeep

(Unknown)

(Unknown)

(Unknown)

(Unknown)

Costs - Update water  
 systems and perform  
 inspections  
 (§§640.142, 640.144,  
 and 640.145)

(Unknown)

(Unknown)

(Unknown)

(Unknown)

FISCAL IMPACT -  
Local Government

Fully  
 Implemented  
 (FY 2038)

FY 2021  
 (10 Mo.)                      FY 2022                      FY 2023

**POLITICAL  
 SUBDIVISIONS**  
 (continued)

Costs - Potential cost  
 for extended  
 transport time for fire  
 districts (§190.243)

\$0 to (Unknown)   \$0 to (Unknown)   \$0 to (Unknown)   \$0 to (Unknown)

Costs - Police and  
 Sheriff's  
 Departments  
 (§544.170) Increased  
 costs to train and the  
 development of  
 policy

\$0 to (Unknown)   \$0 to (Unknown)   \$0 to (Unknown)   \$0 to (Unknown)

Loss - Potential loss  
 of fees generated  
 from registering  
 breed-specific dogs  
 (§67.142

\$0 or (Unknown,  
 greater than  
 \$25,000)   \$0 or (Unknown,  
 greater than  
 \$25,000)   \$0 or (Unknown,  
 greater than  
 \$25,000)   \$0 or (Unknown,  
 greater than  
 \$25,000)

Loss - 1% collection  
 fee kept by DOR  
 (§§94.900 & 94.902)

\$0   \$0 to (\$19,603)   \$0 to (\$29,993)   \$0 to (\$29,993)

**ESTIMATED NET  
 EFFECT TO ALL  
 POLITICAL  
 SUBDIVISIONS**

Unknown to                      Unknown to                      Unknown to                      Unknown to  
(Unknown)                      (Unknown)                      (Unknown)                      (Unknown)

### FISCAL IMPACT - Small Business

This proposal would allow for a sales tax increase in the cities listed above that would impact small businesses depending on if a half percent sales tax rate is approved by the voters. (§§94.900 and 94.902)

This proposal may have a fiscal impact on small business deciding to have an AED on the premises. (§192.092)

This proposal will negatively impact small businesses in the medical marijuana industry if they pay the background check fees for potential employees. (§195.815)

Certain small businesses that sell intoxicating liquor could be impacted by this proposal. (§311.293 and 311.332)

Small businesses in the districts where the tax is increased will be negatively impacted by paying the higher tax. (§321.552)

Small business animal shelters and veterinary facilities might incur additional costs as a result of this proposal. (§§578.018 and 578.030)

There may be a direct fiscal impact to those public water systems that meet the definition of a small business as a result of this proposal. This may include not only those systems that will be regulated, but also any small business that may have to adjust water rates to allow the water system to comply with this bill. (§§640.142, 640.144, and 640.145)

### FISCAL DESCRIPTION

**CAPITOL POLICE BOARD** (Sections 8.010, 8.111, 8.170, 8.172, 8.177, and 8.178)

This bill establishes the Capitol Police Board which shall consist of the Governor, the Speaker of the House, the President Pro Tem of the Senate, and the Chief Justice of the Missouri Supreme Court, or their designees, and the chair of the State Capitol Commission. This board shall be housed in the House of Representatives for administration purposes and provide for public safety at the seat of government and for the safety and security of elected officials, government employees, and their guests as needed outside the seat of government. The board shall hire a chief of police and promulgate all necessary rules and regulations.

The bill specifies the Circuit Court of Cole County has authority to enforce the traffic or parking regulations of the Capitol Police Board.

FISCAL DESCRIPTION (continued)

**CORRECTION OFFICER CONFIDENTIALITY (Section 32.056)**

This bill includes anyone employed by the Department of Corrections, corrections officers, and jailers in the list of persons whose home address and vehicle information is to be kept confidential by the Department of Revenue under Section 32.056, RSMo.

**DEPARTMENT OF DEFENSE (Sections 40.003, 41.005, 45.010, 45.020, 45.030, 650.005)**

Beginning December 31, 2020, this bill creates a "Department of Defense" and transfers the powers, duties, and functions vested in the Office of Adjutant General, the state militia, and the Office of the State Judge Advocate from the Department of Public Safety, via Type I transfer.

This bill has an effective date contingent upon the passage and approval by the voters of an amendment to the Constitution creating a Department of Defense.

**BREED SPECIFIC REGULATIONS (Section 67.142)**

The bill specifies that the General Assembly occupies and preempts the entire field of legislation touching in any way the control or regulation of specific breeds of dogs. However, a village, town, city, or county can still prohibit dogs from running at large or to further control or regulate dogs within its boundaries so long as the ordinance, order, policy, or regulation is not breed specific.

**PUBLIC SAFETY SALES TAX (Sections 94.900 and 94.902)**

This bill adds certain cities and villages to the list of cities and villages authorized to impose, upon voter approval, a sales tax of up to one-half of one percent for public safety purposes, including expenditures on equipment, city and village employee salaries and benefits, and facilities for police, fire and emergency medical providers.

Currently, the only additional cities described in Section 94.900 are Branson West, Smithville, Kearney, and Hallsville, and the only additional cities described in Section 94.902 are Clinton, Lincoln, Cole Camp and Claycomo.

**ADULT STUDENT BACKGROUND CHECK (Section 168.133)**

This bill requires criminal background checks to be conducted on any person who is 18 years of age or older, who is not counted by the district for purposes of average daily attendance, and who requests enrollment in a course that takes place on school property during regular school hours.

The background check shall be conducted before the person enrolls in any such course, and a guilty plea or verdict for any crime or offense under Section 168.071, RSMo, shall prohibit enrollment as outlined in the bill.

FISCAL DESCRIPTION (continued)

In addition, this proposal allows a substitute teacher to designate up to five school districts to receive the result of a criminal background check.

PRIVATE COLLEGE CAMPUS PROTECTION (Sections 173.2700, 173.2703, 173.2706, 173.2709, 173.2712)

This bill establishes the "Private College Campus Protection Act." The governing board of a private college or university may employ police officers, who must take an oath of office and complete police officer training to obtain a peace officer license. Private colleges and universities may establish and enforce traffic regulations for on-campus thoroughfares.

This bill defines "private college" or "private university" for this section and includes a location description within five miles of any city of the fourth classification with more than 4,000 but fewer than 4,500 inhabitants and located in any county of the first classification with more than 50,000 but fewer than 70,000.

Currently, these provisions only apply to the College of the Ozarks.

Records created by the private college or university shall be accessible as other law enforcement agency records.

The provisions of this program shall sunset five years after the effective date of the effective date of this section.

AUTOMATED EXTERNAL DEFIBRILLATORS (Sections 190.092 and 190.1005)

This bill modifies the Public Access to Automated External Defibrillator Act (§190.092).

The bill states that a person or entity that acquires an automated external defibrillator (AED) shall: (1) Comply with regulations regarding the placement of the AED; (2) Notify an agent of the local EMS agency of the AED and the AED's location; (3) Ensure that the AED is maintained and tested according to the guidelines set forth by the manufacturer; (4) Ensure that the AED is tested at least biannually and after each use; and (5) Ensure that an inspection is made of all AEDs at least every 90 days. (§190.092)

Any training or course in cardiopulmonary resuscitation shall also include instruction in the proper use of automated external defibrillators. The training or course shall follow the standards created by the America Red Cross or the American Heart Association, or equivalent. (§190.1005)



FISCAL DESCRIPTION (continued)

**MEDICAL MARIJUANA INDUSTRY (Sections 191.255 and 195.815)**

This bill creates a class E felony when a state agency, including employees, discloses to the federal government or any federal employee, or any unauthorized third party, the statewide list of persons who have obtained a medical marijuana card.

Under the provisions of this bill, the Department of Health and Senior Services (DHSS) shall require all employees, officers, managers, staff, and owners of marijuana facilities to submit fingerprints for criminal background checks to the State Highway Patrol. The fingerprint submissions must be a part of the medical marijuana facility application. All fingerprint cards and fees must be sent to the State Highway Patrol. The fingerprints will also be forwarded to the FBI for a federal criminal background check.

This proposal contains an effective clause of July 1, 2020.

**VEHICLE HIJACKING (Sections 211.071, 556.061, 570.027)**

This bill creates the offense of vehicle hijacking, which is committed when an individual knowingly uses or threatens the use of physical force upon another individual to seize or attempt to seize possession or control of a vehicle. This offense is punished as a class B felony unless one of the aggravating circumstances listed in the bill was present during the commission of the offense, in which case it is punished as a class A felony.

Additionally, the definition of dangerous felony is modified to include the offense of vehicle hijacking when punished as a class A felony.

This bill specifies that, beginning January 1, 2021, if a person is charged with the offense of vehicle hijacking and is between the ages of 12 and 18, a mandatory hearing will be conducted to determine whether the case shall proceed in a juvenile court or the offender will be certified as an adult. As of the effective date of the bill and prior to January 1, 2021, if a person is charged with the offense of vehicle hijacking and is between the ages of 12 and 17, a mandatory hearing will be conducted to determine whether the case shall proceed in juvenile court or the offender will be certified as an adult.

**EARLY PAROLE FOR GERIATRIC OFFENDERS (Section 217.697)**

This bill specifies that any incarcerated offender 65 years of age or older who has no prior felony convictions of a violent nature, who is not a convicted sexual offender, who is serving a sentence of life without parole for a minimum of 50 years or more, and who was sentenced under Section 565.008, RSMo, for an offense committed prior to October 1, 1984, must receive a parole hearing upon serving 30 years or more of his or her sentence.

FISCAL DESCRIPTION (continued)

The Parole Board must determine whether there is a reasonable probability that the offender will not violate the law upon release and therefore is eligible for release based upon a finding that the offender meets specified criteria.

The bill requires any offender granted parole under these provisions to be placed on a minimum of five years supervision by the Division of Probation and Parole.

USE OF AN UNMANNED AIRCRAFT (Sections 217.850, 577.800, and 632.460)

This bill creates the offense of unlawful use of an unmanned aircraft near a correctional center, mental health hospital, or certain open air facilities, including sports stadiums holding 5,000 or more persons, as defined in the bill.

A person commits such offense if he or she purposely operates an unmanned aircraft within a distance of 400 feet of a correctional center, mental health hospital, or open air facility as specified in the bill or allows an unmanned aircraft to make contact with a correctional center, mental health hospital, or open air facility, including any person or object on the premises of or within the facility. The bill provides exceptions to the offense including a law enforcement agency, fire department, or utility company under specified circumstances.

The offense of unlawful use of an unmanned aircraft near a correctional center or mental health hospital is an infraction unless the person uses the unmanned aircraft for the purpose of:

- (1) Delivering a weapon or other article that may be used in such a manner to endanger the life of an offender or correctional center or mental health hospital employee, in which case it is a class B felony;
- (2) Facilitating an escape from confinement, in which case it's a class C felony; or
- (3) Delivering a controlled substance, in which case it is a class D felony.

Each correctional center or mental health hospital shall post a sign of the provisions of the offense. The sign must be at least 11" by 14" and be posted in a conspicuous location.

BOATING SAFETY IDENTIFICATION CARDS (Section 306.127)

This act extends the sunset date for provisions regarding the issuance of temporary boating safety identification cards from December 31, 2022, to December 31, 2032.

FISCAL DESCRIPTION (continued)

**CHILD PASSENGER RESTRAINT SYSTEMS (Section 307.179)**

This bill requires child restraint seats to be rear facing for children under two years of age.

**FIRE PROTECTION DISTRICTS (Section 321.552)**

Currently, the governing body of ambulance and fire protection districts in certain counties are authorized to propose a sales tax at a rate of up to 0.5%. This bill allows such districts to propose a sales tax of up to 1.0%.

**TAMPERING WITH A WITNESS OR VICTIM (Section 491.016 and 575.270)**

This bill specifies that an otherwise inadmissible witness statement is admissible in evidence in a criminal proceeding as substantive evidence if the court finds, by a preponderance of the evidence in a hearing conducted outside the presence of the jury and before trial, that the defendant engaged in or acquiesced to wrongdoing with the purpose of preventing the witness from testifying in any proceeding.

This bill specifies that the offense of tampering with a witness or victim is a class C felony if the original charge is a class A felony or an unclassified felony.

**WITNESS PROTECTION PROGRAMS (Section 491.641)**

This bill creates the "Pretrial Witness Protection Services Fund". This bill authorizes the Department of Public Safety to disburse money from the Pretrial Witness Protection Services Fund to law enforcement agencies for the purposes of providing for the security of witnesses, potential witnesses, and their immediate families in criminal proceedings or investigations. Funds will be subject to appropriations from the General Assembly.

The law enforcement agencies must submit an application to the Department of Public Safety, which shall include, but is not limited to, the following information:

- (1) A statement of conditions that qualify persons for protection;
- (2) Precise methods the agency will use to provide protection; and
- (3) A statement of projected costs over a specified period of time.

**DETENTION UPON ARREST (Section 544.170)**

Currently, a person arrested and confined in jail without a warrant, for any alleged breach of the peace or other criminal offense, or suspicion thereof, must be discharged within 24 hours from the time of arrest. This bill allows a person reasonably believed to be a danger to himself, herself, or others to be detained for 72 hours or until the person is reasonably believed to no longer be a danger, whichever occurs first.

FISCAL DESCRIPTION (continued)

**OFFENSE OF CONSPIRACY (Sections 545.140, 562.014, and 557.021)**

Under this act, if two or more defendants are charged with being joint participants in a conspiracy, it is presumed there is no substantial prejudice in charging both defendants in the same indictment or being tried together.

Under current law, guilt for an offense may be based upon a conspiracy to commit an offense when a person, with the purpose of promoting the commission of the offense, agrees with another person that they will engage in conduct to commit the offense. A person cannot be convicted of an offense based upon a conspiracy to commit the offense unless he or she committed an overt act.

This act modifies provisions regarding conspiracy to create the offense of conspiracy if a person agrees, with one or more persons, to commit any Class A, B, or C felonies, or any unclassified felonies that exceed 10 years of imprisonment, and one or more persons do any act in furtherance of the agreement. The offense of conspiracy to commit an offense is a Class C felony.

Additionally, this act repeals the provisions barring a person from being charged, convicted, or sentenced for both the conspiracy to commit the offense and the actual offense.

**DEFINITION OF DANGEROUS FELONY (Section 556.061)**

This act adds to the definition of "dangerous felony" the offense of armed criminal action, the offense of conspiracy to commit an offense when the offense is a dangerous felony, and the offense of vehicle hijacking when punished as a Class A felony.

**OFFENSES NOT ELIGIBLE FOR PROBATION (Section 557.045)**

This act provides that any person found guilty of, or pleading guilty to: the offense of second degree murder when the person knowingly causes the death of another person or, with the purpose of causing serious physical injury to another person, causes the death of another person; any dangerous felony involving a deadly weapon; or any dangerous felony where the person has been previously found guilty of a Class A or B felony or a dangerous felony shall not be eligible for probation, suspended imposition or execution of sentence, or a conditional release term, and shall be sentenced to a term of imprisonment.

**SPORTS OFFICIALS (Section 565.002)**

This bill expands the definition of "special victim" under Section 565.002, RSMo, to include sports officials at a sporting event while performing their duties as sports officials.

FISCAL DESCRIPTION (continued)

**OFFENSE OF VEHICLE HIJACKING (Section 570.027)**

This act creates the offense of vehicle hijacking, which is committed when an individual knowingly uses or threatens the use of physical force upon another individual to seize or attempt to seize possession or control of a vehicle. This offense is punished as a Class B felony unless one of the aggravating circumstances listed in the act was present during the commission of the offense, in which case it is punished as a Class A felony.

**OFFENSE OF ARMED CRIMINAL ACTION (Section 571.015)**

Under current law, a person who commits the offense of armed criminal action is subject to a term of imprisonment of not less than 3 years for the first offense, 5 years for the second offense, and 10 years for any subsequent offense, in addition to any punishment for the crime committed by, with, or through the use of a deadly weapon.

This act changes the prison term for this offense to 3 to 15 years for the first offense, 5 to 30 years for the second offense, and at least 10 years for any subsequent offense. These prison terms shall be served in addition to and consecutive to any punishment for the crime committed with the use of a deadly weapon. Additionally, this act provides that if the person convicted of armed criminal action is unlawfully possessing a firearm, the minimum prison term for the first offense is 5 years, the second offense is 10 years, and the third offense is 15 years.

No person convicted for the offense of armed criminal action shall be eligible for parole, probation, conditional release or suspended imposition or execution of sentence for the minimum period of imprisonment.

**BLAIR'S LAW (Section 571.031)**

This bill establishes "Blair's Law" which specifies that a person commits the offense of unlawful discharge of a firearm if, with criminal negligence, he or she discharges a firearm within or into the limits of any municipality. Any such person shall be guilty of a class A misdemeanor. These provisions will not apply if the firearm is discharged under the circumstances listed in the bill.

**UNLAWFUL POSSESSION OF A FIREARM (Section 571.070)**

Under current law, the offense of unlawful possession of a firearm is a Class D felony. This act increases the penalty for unlawful possession of a firearm by a person convicted of a dangerous felony to a Class C felony.

FISCAL DESCRIPTION (continued)

RESISTING ARREST (Section 575.150)

This bill specifies that a person commits the offense of resisting arrest by fleeing in a motor vehicle if he or she resists an arrest, stop or detention by fleeing from law enforcement in a motor vehicle and, during the course of fleeing, drives at a speed in a manner that demonstrates a disregard for the safety of a person or property, including that of the pursuing officer or other occupants of the fleeing vehicle. The offense of resisting arrest by fleeing in a motor vehicle is a class E felony. For a second or subsequent conviction, it is a class D felony.

If, during the commission of resisting arrest by fleeing in a motor vehicle, serious bodily injury or death to another person, including any officer, results, the person is guilty of the offense of aggravated resisting arrest by fleeing in a motor vehicle, which is a class D felony. For a second or subsequent conviction, it is a class C felony.

CONFISCATION OF ANIMALS (Sections 578.018 and 578.030)

This bill changes the laws regarding the confiscation of animals. In its main provisions, the bill:

- (1) Removes a public health official from the individuals authorized to seek a warrant to enter property to inspect, care for, or confiscate neglected or abused animals;
- (2) Requires a person acting under the authority of a warrant to appear at a disposition hearing before the court through which the warrant was issued within 10 days of the confiscation, instead of being given a disposition hearing within 30 days of the filing of the request, for the purpose of granting immediate disposition of the animals.

An animal cannot be sterilized before the completion of the disposition hearing unless it is necessary to save life or relieve suffering;

- (3) Allows a third party approved by the court to care for confiscated animals;
- (4) Specifies that the owner of any animal that has been confiscated cannot be responsible for the animal's care and keeping prior to a disposition hearing if the owner is acquitted or there is a final discharge without conviction;
- (5) Requires a reasonable bond or security to be posted within 72 hours of the disposition hearing in an amount sufficient to provide for the care of the animal and consistent with the fair market cost of boarding the animal in an appropriate retail boarding facility if the owner, custodian, or any person claiming an interest in an animal that has been confiscated because of neglect or abuse would like to prevent disposition of the animal while the case proceeds. Currently, the

FISCAL DESCRIPTION (continued)

owner, custodian, or any person claiming an interest in an animal that has been impounded because of neglect or abuse may prevent disposition of the animal by posting bond or security in an amount sufficient to provide for the animal's care for at least 30 days, inclusive of the date on which the animal was taken into custody;

(6) Specifies that all animals confiscated must receive proper care as determined by state law and regulations. Any facility or organization must be liable to the owner for damages for any negligent act or abuse of the animal which occurs while the animal is in its care, custody, and control;

(7) Specifies that in the event that an animal owner is not liable for the costs incurred while the charges were pending, the costs of care and the liability for the life or death of the animal and medical procedures performed are the responsibility of the confiscating agency;

(8) Allows an owner to demand the return of the animal held in custody if he or she posted a sufficient bond and is acquitted or there is a final discharge without a conviction unless there is a settlement agreement, consent judgment, or a suspended imposition of sentence. Any entity with care, custody, and control of the animal must immediately return it to the owner upon demand and proof of the acquittal or final discharge without conviction. The animal owner must not be liable for any costs incurred relating to the placement or care of the animal while the charges were pending unless there is a settlement agreement, consent judgment, or a suspended imposition of sentence;

(9) Specifies that any person or entity that intentionally euthanizes, other than as permissible under the provisions of the bill, or intentionally sterilizes an animal prior to a disposition hearing or during any period for which a reasonable bond was secured for the animal's care will be guilty of a class B misdemeanor and is liable to the owner for damages including the actual value of the animal. Each individual animal for which a violation occurs is a separate offense. Any second or subsequent violation is a class A misdemeanor, and any entity licensed under state law must be subject to licensure sanction by its governing body;

(10) Includes dogs confiscated by any member of the State Highway Patrol or other law enforcement officer that were involved in dog fighting to those animals covered under these provisions; and

(11) Requires, in the event that the animal owner is not liable for the costs incurred, the confiscating agency to be responsible for the usual and customary veterinary costs and fair

FISCAL DESCRIPTION (continued)

market boarding fees and be liable for the life or death of the animal and for medical procedures performed while the charges were pending.

**CRIMINAL STREET GANGS (Sections 578.419 and 578.439)**

This act establishes the "Missouri Criminal Street Gangs Prevention Act". The act modifies the definition of a "criminal street gang" by defining such an organization to have as one of its motivating, rather than primary, activities the commission of one or more criminal acts. The definition of "pattern of criminal street gang activity" is modified to include "dangerous felony" as one of the offenses that would constitute a pattern.

Currently, any person who actively participates in any criminal street gang with knowledge that its members engage in a pattern of criminal street gang activity and who willfully promotes such criminal conduct shall be punished by one year in the county jail or one to three years of imprisonment in a state correctional facility. This act provides that such a person who actively participates in any criminal street gang that engages in a pattern of criminal conduct shall be guilty of a Class B felony.

Further, this act changes the mental state and penalty for any person who is convicted of a felony or misdemeanor which is committed for the benefit of, at the direction of, or in association with, a criminal street gang. This act provides that such action must be with the purpose, rather than specific intent, to promote, further, or assist in any criminal conduct by gang members. The act repeals the applicability of this provision to a misdemeanor.

A person convicted under this act shall serve a term in addition and consecutive to the punishment for the felony conviction a term of two years, unless the felony is committed within one thousand feet of a school then the term shall be three years. Finally, if a person is convicted of a dangerous felony under this act, he or she shall be punished by an additional 5 years.

**CONTROLLED SUBSTANCE OFFENSES (Sections 579.065 and 579.068)**

This bill adds to the offense of trafficking drugs in the first degree knowingly distributing, delivering, manufacturing, or producing or attempting to distribute, deliver, manufacture, or produce more than 10 milligrams of fentanyl or any derivative thereof, or any mixture or substance containing a detectable amount of fentanyl. If the violation involves 20 milligrams or more of fentanyl or any derivative thereof, or any mixture or substance containing 20 milligrams or more of fentanyl, it is a class A felony. If it involves more than 10 milligrams, it is a class B felony. Additionally, one gram or more of flunitrazepam (Rohypnol) or any amount of gamma-hydroxybutyric acid (GHB) is a class B felony for the first offense and a class A felony for the second or subsequent offense.



FISCAL DESCRIPTION (continued)

The bill adds to the offense of trafficking drugs in the second degree knowingly possessing or having under one's control, purchasing or attempting to purchase, or bringing into the state more than 10 milligrams of fentanyl or any derivative thereof, or any mixture or substance containing a detectable amount of fentanyl. If the violation involves 20 milligrams or more of fentanyl or any derivative thereof, or any mixture or substance containing 20 milligrams or more of fentanyl, it is a class B felony. If it involves more than 10 milligrams, it is a class C felony. Additionally, the offense is a class C felony for the first offense and class B felony for the second or subsequent offense for the trafficking of less than one gram of flunitrazepam (Rohypnol).

COMMUNITY CRIME REDUCTION GRANT PROGRAM (Section 589.805)

This act establishes a pilot program known as the "Community Crime Reduction Grant Program" which shall provide money to qualifying municipal police departments.

The grants provided under this act shall be subject to appropriation by the General Assembly and shall be equally dispersed among qualifying municipal police departments. To qualify, a municipal police department must:

- Employ less than two officers per one thousand people; and
- Serve a city with a population of 75,000 inhabitants to 125,000 inhabitants that is located in a first class county.

Grants received from the program shall be used as payment for the following:

- Up to 50% of the cost of employing new law enforcement officers needed to raise the department's officer to population ratio to two officers per one thousand people; and
- Up to 100% of the cost for law enforcement officers hired with grant money by the municipal police department to attend not less than one seminar relating to fair and impartial policing and one seminar relating to racial sensitivity at the University of Missouri Law Enforcement Training Institute.

Municipal police departments receiving grants under the program shall submit an annual report with information as provided in the act to the Department of Public Safety on or before December 31 of each year in which the Department received the grant money.

This act also creates the "Community Crime Reduction Program Fund" which shall consist of all gifts, bequests, transfers, and money appropriated by the General Assembly for the program. The state treasurer shall be the custodian of the Fund and may approve disbursements. Money from the Fund shall be used solely by the Department of Public Safety to issue grants to qualifying municipal police departments through the program.

FISCAL DESCRIPTION (continued)

The Department of Public Safety shall administer the grants issued under the program and promulgate all rules and regulations for the administration of the program.

The provisions in this act shall sunset after four years unless reauthorized by the General Assembly.

WATER SAFETY AND SECURITY (Sections 640.142, 640.144 and 640.145)  
This proposal establishes provisions relating to water safety and security.

This legislation is not federally mandated but may be duplicative of parts of the American Water and Infrastructure Act (AWIA). It would not require additional capital improvements or rental space.

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

Administrative Hearing Commission  
Attorney General's Office  
Department of Agriculture  
Department of Commerce and Insurance  
Department of Conservation  
Department of Corrections  
Department of Economic Development  
Department of Elementary and Secondary Education  
Department of Health and Senior Services  
Department of Higher Education & Workforce Development  
Department of Labor and Industrial Relations  
Department of Mental Health  
Department of Natural Resources  
Department of Public Safety  
Department of Revenue  
Department of Social Services  
Department of Transportation  
Governor's Office  
Joint Committee on Administrative Rules  
Joint Committee on Public Employee Retirement  
Legislative Research

SOURCES OF INFORMATION (continued)

Lottery Commission  
Missouri Consolidated Health Care Plan  
Missouri Ethics Commission  
Missouri House of Representatives  
Missouri Office of Prosecution Services  
Missouri Senate  
Missouri State Employees' Retirement System  
MoDOT & Patrol Employees' Retirement System  
Office of Administration  
Office of Administration - Budget and Planning  
Office of State Courts Administrator  
Office of Secretary of State  
State Auditor's Office  
State Public Defender's Office  
State Tax Commission  
State Treasurer's Office  
City of Springfield  
City of Columbia  
City of Kansas City  
City of O'Fallon  
City of Brentwood  
City of Clinton  
City of Branson West  
City of Hazelwood  
City of Riverside  
City of Springfield  
Adair County Health Department  
Columbia/Boone County Department of Public Health and Human Services  
Cooper County Public Health Center  
St. Louis County Department of Health  
Boone County Sheriff's Department  
Joplin Police Department  
St. Louis County Department of Justice Services  
St. Louis County Police Department  
Springfield Police Department  
Brentwood Fire Department  
State Technical College of Missouri  
St. Charles Community College  
University of Central Missouri

SOURCES OF INFORMATION (continued)

University of Missouri Health Care System  
Metropolitan St. Louis Sewer District  
Kansas City Elections Board  
Jackson County Election Board  
St. Louis County Board of Elections  
City of St. Louis Water Division  
St. Louis City  
St. Louis Metropolitan Police Department  
Kearney Fire & Rescue Protection District  
Gasconade County R-I School District  
Wellsville Middletown R-I School District  
Sheriffs' Retirement System  
Kansas City Public School Retirement System  
Platte County Board of Elections  
St. Louis Metropolitan Sewer District  
Employees' Retirement System of the City of St. Louis  
St. Louis County Directors of Elections  
Columbia Police Department  
St. Joseph Police Department  
Florissant Fire Department



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April 30, 2020

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April 30, 2020