

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4010-02
Bill No.: SCS for SB 569
Subject: Attorney General; Health Care Professionals; Health and Senior Services
 Department; Law Enforcement Officers and Agencies; Public Safety Department;
 Victims of Crime
Type: Original
Date: February 13, 2020

Bill Summary: This proposal modifies provisions relating to electronic tracking systems for evidentiary collection kits.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
 This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
Total Estimated Net Effect on FTE	0	0	0

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

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
Local Government	(Unknown)	(Unknown)	(Unknown)

FISCAL ANALYSIS

ASSUMPTION

§595.220 - Electronic tracking system

Officials from the **Department of Public Safety (DPS), Director's Office (DO)** state §595.220.11 provides that the DPS shall develop and retain within the state a central repository for unreported evidentiary collection kits in a temperature controlled environment. These kits shall be kept for 5 years.

DPS-DO worked with the Missouri State Highway Patrol (MHP) to arrive at a potential for 1,000 unreported kits each year that will need to be stored. Current cost for a temperature controlled environment for storage in Jefferson City would be \$5.88/sq. ft. DPS anticipates that 500 sq. ft. would be needed for the storage. $5.88 \times 500 = \$2,940$ /year storage costs

Oversight does not have any information to the contrary. Oversight assumes the DPS will be able to absorb this minimal expense within current resources and will reflect no fiscal impact for the DPS for fiscal note purposes.

Officials from the **DPS, MHP** assume, based on the response from the DPS, DO, this proposal will have no fiscal impact on their organization.

Officials from the **St. Louis County Police Department (County PD)** estimate the proposed bill will have a time impact on the St. Louis County Police Crime Laboratory. Through November 2019, the Crime Lab has received 178 kits. It is estimated, in 2020, there will be approximately 200 kits. The proposed changes would require an hour of processing, at the rate of \$23 per hour per kit. This increase totals \$4,600 annually and \$13,800 over the three years of this fiscal note.

It is important to note that, in addition to costs, there would be an increase in the Crime Lab's backlog due to the requirements proposed in this bill.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect (Unknown) total costs to all Missouri local police departments for fiscal note purposes.

Oversight notes the **Missouri Attorney General's Office, the Department of Health and Senior Services, the Office of State Courts Administrator, St. Louis County** 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 organizations.

ASSUMPTION (continued)

Oversight notes, in response to the previous version of this proposal, the **St. Louis County Department of Justice Services** 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 organization.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, the SEMO Crime Lab, other sheriffs' departments and police 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.

<u>FISCAL IMPACT - State Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023
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LOCAL GOVERNMENTS - POLICE DEPARTMENTS

<u>Costs - Police Departments (\$595.220) - Tracking of evidentiary collection kits</u>	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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ESTIMATED NET EFFECT ON LOCAL GOVERNMENTS	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

This act modifies current law regarding procedures for tracking evidentiary collection kits. Currently, the Attorney General shall establish an electronic tracking system for evidentiary collection kits and their components, including individual specimen containers. This act removes the requirement to track the individual components, while retaining the requirement to track the kits. Additionally, current law requires the Attorney General to permit sexual assault victims or their designees access to the system to monitor the current status of their kits. This act

FISCAL DESCRIPTION (continued)

allows such victims to track, obtain reports, and receive updates on the status and location of their kits through a secure web-based or similar system that allows victims or their designees to register to be notified by mail, phone, text, email, or other similar electronic communication of any updates on the status and location of their kits.

Appropriate medical providers, law enforcement agencies, laboratories, court personnel, persons or entities involved in the final disposition or destruction of the kits, and all other entities and persons having custody of the kits shall participate in the tracking system.

The Department of Public Safety, with the advice of the Attorney General and the assistance of the Department of Health and Senior Services, shall develop and retain within the state a central repository for unreported evidentiary collection kits that is temperature-controlled to preserve the integrity of the kits and diminish degradation. Unreported kits shall be retained for 5 years.

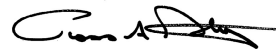
This legislation is not federally mandated, would not duplicate any other program but would require additional capital improvements or rental space.

SOURCES OF INFORMATION

Missouri Attorney General's Office
Department of Health and Senior Services
Department of Public Safety -
 Director's Office
 Missouri State Highway Patrol
Office of State Courts Administrator
St. Louis County
St. Louis Department of Justice Services
St. Louis County Police Department
Springfield Police Department



Julie Morff
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February 13, 2020



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February 13, 2020