

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1955S.01I
Bill No.: SB 449
Subject: Conservation, Department of; Law Enforcement Officers & Agencies; Property,
Real and Personal; Search and Seizure
Type: Original
Date: March 26, 2021

Bill Summary: This proposal creates provisions relating to searches and seizures by certain law enforcement officers.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Conservation Commission Fund (0609)*	(Unknown)	\$0	\$0
Total Estimated Net Effect on <u>Other</u> State Funds	(Unknown)	\$0	\$0

***Oversight** assumes some policy modification and training is conducted regardless of this bill and assumes the fiscal impact will be less than the \$250,000 threshold.

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on FTE	0	0	0

- ☐ Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- ☐ Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§252.100 – Search and seizure

Officials from the **Missouri Department of Conservation (MDC)** state an unknown fiscal impact but likely less than \$250,000 for additional training and policy modifications. MDC states this would significantly impede the Commission's responsibility to carry out their Constitutional mandate to enforce the Wildlife Code.

Oversight does not have any information contrary to that provided by MDC. Oversight assumes training will occur in the first year and any training required in subsequent years would be incorporated into a MDC's annual training. Therefore, Oversight will reflect MDC's impact as (Unknown) but likely less than the \$250,000 threshold for FY 2022 and \$0 for subsequent years.

Officials from the **Department of Public Safety - Missouri Highway Patrol**, the **Missouri Office of Prosecution Services**, the **Office of the State Courts Administrator**, and the **Office of the State Public Defender** each assume the proposal will have no 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 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.

<u>FISCAL IMPACT – State Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
CONSERVATION COMMISSION FUND (0609)			
Costs – MDC (\$252.100) Training and policy modification*	<u>(Unknown)</u>	<u>\$0</u>	<u>\$0</u>
ESTIMATED NET EFFECT ON THE CONSERVATION COMMISSION FUND	<u>(Unknown)</u>	<u>\$0</u>	<u>\$0</u>

***Oversight** assumes some policy modification and training is conducted regardless of this bill and assumes the fiscal impact will be less than the \$250,000 threshold.

<u>FISCAL IMPACT – Local Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

Under this act, any authorized agent of the Conservation Commission, sheriff, marshal or their deputies, are required to have a search warrant to enter and search the property of a landowner who fenced or posted a "no trespassing" sign on the property, or, by some other means, indicated unmistakably that entry is not permitted.

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

SOURCES OF INFORMATION

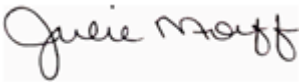
Department of Public Safety - Missouri Highway Patrol

Missouri Department of Conservation

Missouri Office of Prosecution Services

Office of the State Courts Administrator

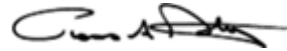
Office of the State Public Defender



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March 26, 2021



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