

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0639S.01I
 Bill No.: SB 78
 Subject: Saint Louis City; Law Enforcement Officers and Agencies; Retirement - Local Government; Boards, Commissions, Committees, and Councils
 Type: Original
 Date: January 23, 2023

Bill Summary: This proposal modifies provisions relating to the operation of certain law enforcement agencies.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Legal Expense Fund*	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
Total Estimated Net Effect on <u>Other</u> State Funds*	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown

Numbers within parentheses: () indicate costs or losses.

*Oversight assumes the cost avoidance will not exceed the \$250,000 threshold.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
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 2024	FY 2025	FY 2026
Local Government	Unknown to (Unknown)	Unknown to (Unknown)	Unknown to (Unknown)

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Administration (OA)** assume this proposal adds the provision that reimbursement from the Legal Expense Fund (LEF) is on an equal share basis per claim up to a maximum of one million dollars per fiscal year. This change has the potential to avoid costs to the LEF. The maximum amount to be reimbursed remains unchanged with this legislation. The number of successful claims is unknown; therefore, the potential cost avoidance is also unknown.

Oversight does not have information to the contrary and therefore, Oversight will reflect a \$0 to unknown impact to the LEF as provided by OA.

Officials from the **Office of Administration - Budget and Planning** state the mayor or any city officer shall be liable for a penalty of \$1,000 for each and every offense to hinder the Board and shall forever be disqualified from holding or exercising any office of the city. To the extent any related fines or penalties are deposited in the state treasury, TSR may be impacted.

Oversight assumes no penalties will be paid. Therefore, Oversight will reflect no fiscal impact for this part of the proposal.

Oversight notes the Board of Police Commissioners for the City of St. Louis is currently controlled by the City of St. Louis. This proposal would transfer authority back to the State and would put the Board back under the control of the State of Missouri. Any additional costs or savings from this proposal to the City of St. Louis would depend on the budget that the Board of Police Commissioners submits. Therefore, Oversight will reflect an unknown savings to an unknown cost for the City of St. Louis.

Officials from the **Attorney General's Office**, the **Department of Natural Resources**, the **Department of Labor and Industrial Relations**, the **Department of Public Safety's Office of the Director** and the **Joint Committee on Administrative Rules** 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.

<u>FISCAL IMPACT – State Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026
LEGAL EXPENSE FUND			
<u>Cost Avoidance</u> - OA – potential reduction in costs to the LEF	<u>\$0 to Unknown</u>	<u>\$0 to Unknown</u>	<u>\$0 to Unknown</u>
ESTIMATED NET EFFECT ON THE LEGAL EXPENSE FUND	<u>\$0 to Unknown</u>	<u>\$0 to Unknown</u>	<u>\$0 to Unknown</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026
ST. LOUIS CITY			
<u>Cost or Cost Avoidance</u> – potential savings or costs to the City depending on the budget submitted by the Board of Police Commissioners	<u>Unknown to (Unknown)</u>	<u>Unknown to (Unknown)</u>	<u>Unknown to (Unknown)</u>
ESTIMATED NET EFFECT ON ST. LOUIS CITY	<u>Unknown to (Unknown)</u>	<u>Unknown to (Unknown)</u>	<u>Unknown to (Unknown)</u>

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

This act provides that the city of St. Louis may pass ordinances, including ordinances for preserving order and protecting the public; but no ordinances shall, in any manner, conflict or interfere with the powers or the exercise of the powers of the Board of Police Commissioners. Additionally, the mayor or any city officer shall not impede or hinder the Board of Police Commissioners. The mayor or any city officer shall be liable for a penalty of \$1,000 for each and every offense to hinder the Board and shall forever be disqualified from holding or exercising any office of the city.

Beginning August 28, 2023, the Board shall assume control of the municipal police department of St. Louis and no later than September 28, 2023, the Governor shall appoint four commissioners to the Board who shall serve together with the president of the board of aldermen. The municipal police department shall transfer title and ownership of all indebtedness and assets and accept liability as successor-in-interest for contractual obligations of the police department.

The Board shall initially employ, without reduction in rank, salary, or benefits, all commissioned and civilian personnel of the municipal police department.

The Board is required to appoint and employ a permanent police force consisting of not less than 1,142 members. The Board may continue to employ as many non-commissioned police civilians as it deems necessary in order to perform the duties imposed on them, which shall include city marshals and park rangers. The Board shall grant every member of the police force a certain number of paid vacation days based on how long each member has served as provided in the act.

The maximum number of officers of the police force in each rank shall be as follows:

- 1 chief of police with the rank of colonel;
- 1 assistant chief of police with the rank of lieutenant colonel;
- 4 additional lieutenant colonels;
- 10 captains;
- 57 lieutenants; and
- 188 sergeants.

No further appointments to the rank of major shall be made, but all members of the force now holding the rank of major shall continue in that rank until their promotion, demotion, removal, resignation, or other separation from the force. The salaries paid as of August 28, 2023, shall not be less than the annual salaries paid to each member before the enactment of this act and annual salaries shall increase by no less than \$4,000 by July 1, 2024. No additional compensation shall be given to any officer of the rank of lieutenant or above for overtime, court time, or stand-by court time.

Probationary patrolmen, patrolmen, and sergeants shall receive compensation for all hours of service in excess of the established regular working period, for all authorized overtime, and for employees who complete academic work at an accredited college or university up to a certain amount as provided in the act. Additionally, certain officers may receive up to 10% of their salary in additional compensation for hours worked between 11 p.m. and 7 a.m.

This act provides that until the Board adopts other investigative and disciplinary procedures, the police force shall follow the disciplinary and investigative procedures established by the Police Manual of the St. Louis Metropolitan Police Department which are consistent with law. The Board shall not adopt any disciplinary procedures that do not include the summary hearing Board procedures provided for currently in the Police Manual.

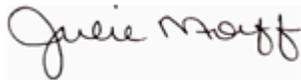
This act provides that reimbursements from the Legal Expense Fund to the Board for liability claims shall be on a twenty-one equal share basis per claim up to a maximum of one million dollars per fiscal year.

This act repeals all provisions relating to the municipal police force established by the City of St. Louis.

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

Office of Administration
Office of Administration
 Budget and Planning
Attorney General's Office
Department of Natural Resources
Department of Labor and Industrial Relations
Department of Public Safety
 Office of the Director
Joint Committee on Administrative Rules



Julie Morff
Director
January 23, 2023



Ross Strobe
Assistant Director
January 23, 2023