

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0994S.02I
Bill No.: SB 10
Subject: Firearms; Crimes and Punishment; Law Enforcement Officers and Agencies;
Public Officers; State Departments; Federal - State Relations; Judges; Courts
Type: Original
Date: February 14, 2023

Bill Summary: This proposal creates the anti-red flag gun seizure act.

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
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

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

*Oversight assumes the loss of federal funding would not reach the \$250,000 threshold.

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	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

FISCAL ANALYSIS

ASSUMPTION

§1.486 – Anti-red flag gun seizure act

Officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** state the potential fiscal impact and legal liability the Patrol will be exposed to if the proposal is passed is unclear. With the limitations placed in section 1.486.4 and 1.486.5, this would appear to have a fiscal impact as it could eliminate grant money for certain task force officers.

The MHP has received federal grant monies for the last two fiscal years in the following amounts:

FY 2021 - \$733,074

FY 2022 - \$755,873

Oversight does not have any information contrary to that provided by MHP. Therefore, Oversight will reflect MHP's impact as \$0 or an Unknown loss of Federal funds. Oversight assumes the amounts related to confiscation of firearms, accessories or ammunition would not reach the \$250,000 threshold.

Officials from the **City of Kansas City** state this legislation could have a negative fiscal impact on Kansas City in an indeterminate amount if they were to not receive a grant pursuant to this legislation.

Officials from the **Branson Police Department** state there is the potential for a reduction in federal grants available to Missouri law enforcement depending on how this law would be interpreted.

Officials from the **St. Joseph Police Department** state there is potentially a negative fiscal impact due to losing funding.

Oversight notes the unknown impact for the City of Kansas City, the Branson Police Department, and the St. Joseph Police Department and is unable to project a statewide cost; therefore, Oversight will present a potential unknown loss of federal funding to local governments – political subdivisions.

Officials from the **Attorney General's Office**, the **Missouri Department of Conservation**, the **Missouri Office of Prosecution Services**, the **Office of Administration**, the **Office of the State Courts Administrator**, the **City of O'Fallon**, the **City of Springfield**, the **Kansas City Police Department**, and the **Phelps County Sheriff's Department** 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 entities.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other cities, counties, and local law enforcement were requested to respond to this proposed legislation but did not. A listing of political subdivisions included in the Missouri Legislative Information System (MOLIS) database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026
FEDERAL FUNDS			
<u>Cost – MHP (\$1.486) potential loss of federal funding</u>	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>
ESTIMATED NET EFFECT TO FEDERAL FUNDS	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026
LOCAL POLITICAL SUBDIVISIONS			
<u>Cost – Cities (\$1.486) potential decreased funding</u>	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>
<u>Cost – Police and Sheriff’s Departments (\$1.486) potential decreased funding</u>	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>
ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

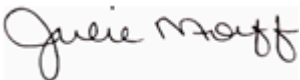
This act establishes the "Anti-Red Flag Gun Seizure Act" which provides that any federal order of protection or other judicial order issued by a court to confiscate any firearm, firearm accessory, or ammunition from any law-abiding citizen shall be considered an infringement on the people's right to keep and bear arms.

Additionally, no public agency, political subdivision, or law enforcement agency shall receive any federal funding for the purpose of enforcing any federal acts or judicial orders confiscating any firearms, firearm accessories, or ammunition.

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

Attorney General's Office
Department of Public Safety - Missouri Highway Patrol
Missouri Department of Conservation
Missouri Office of Prosecution Services
Office of Administration
Office of the State Courts Administrator
City of Kansas City
City of O'Fallon
City of Springfield
Branson Police Department
Kansas City Police Department
St. Joseph Police Department
Phelps County Sheriff's Department



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February 14, 2023



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