

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5121S.01I
Bill No.: SB 1356
Subject: Emergencies; Employees - Employers
Type: Original
Date: February 7, 2024

Bill Summary: This proposal modifies provisions relating to fees paid to the Missouri Emergency Response Commission.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Chemical Emergency Preparedness*	\$797,500	\$957,000	\$957,000
Total Estimated Net Effect on <u>Other</u> State Funds	\$797,500	\$957,000	\$957,000

* Oversight notes the proposal extends/renews an existing funding source that is currently set to expire on August 28, 2024 to August 28, 2030. Oversight notes the funds collected are distributed to local governments, the DPS-Fire Safety and MoDOT for hazardous materials training and assistance.

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
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 2025	FY 2026	FY 2027
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§292.606 – Fees paid to the Missouri Emergency Response Commission

Officials from the **Department of Public Safety (DPS) – State Emergency Management Agency (SEMA)** state currently, the collection of fees for hazardous chemicals in the workplace, which funds the Missouri Emergency Response Commission (MERC), is authorized until August 28, 2024. This would extend the authorization for six years to August 28, 2030.

The mission of the MERC is to protect public health and the environment by assisting communities with chemical incident prevention, preparedness, response, and recovery; and by receiving, processing, and reporting on chemical information under the emergency community right-to-know (EPCRA) laws. The program has been in existence since the late 1980s and has provided training and assistance to local communities to be compliant with the federal EPCRA laws.

Current law allows for the collection of data and fees. In fiscal year 2023, the amount collected was approximately \$957,000 with 65% of this fund being redistributed to the locals, 10% distributed to the Missouri Division of Fire Safety for hazardous materials training and the remaining 25% retained by the MERC to operate the program and to provide a match for federal funds that allow additional hazardous materials planning and training for local first responders.

The chemical storage facility owners and gas station owners must pay the annual fee based on the type and amount of chemicals they store at their facility.

If not renewed, the Local Emergency Planning Committees or Districts would lose approximately \$650,000 in eligible funds. In many communities, these are the only funds available to remain compliant with federal law and most preparedness activities will not continue. Approximately \$80,000 in training money to the Missouri Division of Fire Safety would be lost, and the match for the \$400,000 dollars for the Missouri Department of Transportation grant would not be met. Without this grant, approximately 1,000 first responders will not receive any hazmat preparedness or response training.

Oversight notes the Chemical Emergency Preparedness Fund (0587) had a fund balance of \$586,178 on December 31, 2022 and a balance of \$734,098 on December 31, 2023.

Oversight has no information to the contrary. Therefore, Oversight will present the fiscal impact of this proposal as revenue coming into the Chemical Emergency Preparedness Fund of \$957,000 annually.

Officials from the **Department of Commerce and Insurance**, the **Department of Health and Senior Services**, the **Department of Natural Resources**, the **DPS – Division of Fire Safety and Director’s Office**, the **Missouri Department of Agriculture** and the **Missouri Department of Transportation** 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 received from state agencies and political subdivisions; however, regional planning commissions 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 2025 (10 Mo.)	FY 2026	FY 2027
CHEMICAL EMERGENCY PREPAREDNESS FUND (0587)			
<u>Income</u> – SEMA (§292.606) – renewal of annual fees	\$797,500	\$957,000	\$957,000
ESTIMATED NET EFFECT ON THE CHEMICAL EMERGENCY PREPAREDNESS FUND	<u>\$797,500</u>	<u>\$957,000</u>	<u>\$957,000</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
	<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.

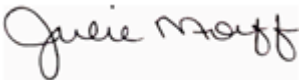
FISCAL DESCRIPTION

Under current law, fees collected and paid to the Missouri Emergency Response Commission shall be collected until August 28, 2024. This act repeals such sunset provision.

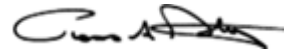
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Commerce and Insurance
Department of Health and Senior Services
Department of Natural Resources
Department of Public Safety –
 Division of Fire Safety
 Director's Office
 State Emergency Management Agency
Missouri Department of Agriculture
Missouri Department of Transportation



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