

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3468-03
Bill No.: SB 1397
Subject: Firearms and Fireworks; Education; Crimes and Punishment; Children and Minors
Type: Original
Date: March 29, 2004

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
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 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Local Government			

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Revenue** and the **Department of Public Safety – Missouri State Highway Patrol** assume the proposal would have no fiscal impact on their agency.

Officials from the **Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on the courts.

Officials from the **Office of Prosecution Services** assume the proposed legislation would have no fiscal impact on prosecutors.

Officials from the **Department of Corrections (DOC)** assume the proposed legislation would have a \$0 or minimal cost for the DOC that could be absorbed within existing resources.

ASSUMPTION (continued)

Officials from the **Office of State Public Defender (SPD)** assume the proposed legislation would create the new crime of unlawful carrying of a concealed weapon at a school event or at a school facility. New crimes create new cases for the SPD. The exact number of cases affected is too uncertain to provide a definitive dollar amount of fiscal impact. Since the amount of impact is uncertain, the SPD cannot assume existing staff will be able to provide representation in these cases. However, once the true fiscal impact is determined, the SPD will reassess the impact of this legislation. Passage of more than one bill increasing existing penalties or creating new crimes will require increased appropriations for the SPD.

Oversight assumes the SPD could experience an increase in case load due to the proposed legislation. Oversight assumes the SPD could absorb the cost of the increased case load within existing resources.

Officials from the **Boone County Sheriff's Office, Greene County Sheriff's Office,** and the **St. Louis County Police Department** did not respond to Oversight's request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	<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.

DESCRIPTION

The proposed legislation would prohibit any individual with a concealed carry endorsement from carrying a weapon into any elementary or secondary school facility or school event.

As used in the proposal, the term “school event” would mean any school-sanctioned or school-sponsored activity. The term “school facility” would be defined as any location on the grounds or facilities of any school, school administration building, or the real property that comprises a public or private elementary school, middle school, or secondary school.

The proposal would eliminate the provision which states that possession of a firearm in a vehicle on the premises of a school facility is not a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.

The proposal would eliminate the provision stating that unlawful use of a weapon by carrying a firearm into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by the school does not apply to individuals with a concealed carry endorsement.

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

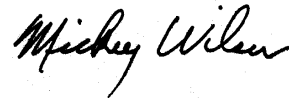
SOURCES OF INFORMATION

Office of State Courts Administrator
Department of Corrections
Department of Revenue
Department of Public Safety
 – Missouri State Highway Patrol
Office of Prosecution Services
Office of the State Public Defender

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NOT RESPONDING

**Boone County Sheriff's Office
Greene County Sheriff's Office
St. Louis County Police Department**

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Director
March 29, 2004