

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1779-03
Bill No.: HCS for SB 333
Subject: Taxation and Revenue - Sales and Use; Political Subdivisions; Fire Protection
Type: Original
Date: May 7, 2019

Bill Summary: This proposal modifies provisions relating to public safety.

FISCAL SUMMARY

| ESTIMATED NET EFFECT ON GENERAL REVENUE FUND | | | | |
|--|--|---|---|---|
| FUND AFFECTED | FY 2020 | FY 2021 | FY 2022 | Fully Implemented (FY 2029) |
| General Revenue | Unknown to (Unknown greater than \$207,500) | (Unknown - Could exceed \$201,574) | (Unknown - Could exceed \$241,992) | (Unknown - Could exceed \$2,330,294) |
| Total Estimated Net Effect on General Revenue | Unknown to (Unknown Could exceed \$207,500) | (Unknown - Could exceed \$201,574) | (Unknown - Could exceed \$241,992) | (Unknown - Could exceed \$2,330,294) |

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 32 pages.

| ESTIMATED NET EFFECT ON OTHER STATE FUNDS | | | | |
|---|--------------------|--------------------|--------------------|--|
| FUND AFFECTED | FY 2020 | FY 2021 | FY 2022 | Fully Implemented (FY 2029) |
| Department of Public Safety | \$1,824,003 | \$1,824,003 | \$1,824,003 | \$1,824,003 |
| Missouri State Capitol Commission (0745) | (\$1,824,003) | (\$1,824,003) | (\$1,824,003) | (\$1,824,003) |
| Colleges & Universities | \$0 or (Unknown) | \$0 or (Unknown) | \$0 or (Unknown) | \$0 or (Unknown) |
| DNA Profiling Analysis (0772) | \$1,028,041 | \$1,233,649 | \$1,233,649 | \$1,233,649 |
| Total Estimated Net Effect on <u>Other</u> State Funds | \$1,028,041 | \$1,233,649 | \$1,233,649 | \$1,233,649 |

| ESTIMATED NET EFFECT ON FEDERAL FUNDS | | | | |
|---|----------------|----------------|----------------|--|
| FUND AFFECTED | FY 2020 | FY 2021 | FY 2022 | Fully Implemented (FY 2029) |
| | | | | |
| | | | | |
| Total Estimated Net Effect on <u>All</u> Federal Funds | \$0 | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE) | | | | |
|---|---------------------|-------------------|-------------------|-----------------------------|
| FUND AFFECTED | FY 2020 | FY 2021 | FY 2022 | Fully Implemented (FY 2029) |
| General Revenue | 0 or 1.1 FTE | 0 or 1 FTE | 0 or 1 FTE | 0 or 1 FTE |
| | | | | |
| Total Estimated Net Effect on FTE | 0 or 1.1 FTE | 0 or 1 FTE | 0 or 1 FTE | 0 or 1 FTE |

☒ Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

| ESTIMATED NET EFFECT ON LOCAL FUNDS | | | | |
|--|----------------------|---|---|---|
| FUND AFFECTED | FY 2020 | FY 2021 | FY 2022 | Fully Implemented (FY 2029) |
| Local Government | Unknown to (Unknown) | Unknown greater than \$469,586 to (Unknown) | Unknown greater than \$646,115 to (Unknown) | Unknown greater than \$646,115 to (Unknown) |

FISCAL ANALYSIS

ASSUMPTION

§§8.007 and 8.177 - Authorizes Missouri State Capitol Commission to employ Capitol Police Officers

In response to similar legislation filed this year, HB 982, officials from the **Capitol Police (CP)** stated this bill would remove Missouri Capitol Police from the Department of Public Safety (DPS) and place it under the direction of the Missouri State Capitol Commission (Commission). The bill authorizes the commission to employ and supervise Missouri Capitol Police officers as outlined in §8.177. It also gives the Commission the authority to appoint a sufficient number of Capitol Police officers to patrol the capitol grounds and handle all traffic and parking upon the capitol grounds and the grounds of other state-owned or leased properties in the capital city and the county which contains the seat of government.

The transfer from DPS to the Commission would require the Capitol Police to replace the current department patch to reflect the division name change. Because the redesigned patch many not cover old stitching, it may be difficult for a local vender to remove and replace all department patches and provide quality service in completing the order within the required time frame. Therefore, it is suggested to purchase new uniform shirts with the new department patch for each of the 34 officers. Each officer would receive two long-sleeve and two short-sleeve shirts which equates to 136 shirts (34 * 4) requiring patches. In addition, the department would need to replace all vehicle decals and office emblems.

The following equipment items and costs will be considered a one-time expense:

| | | | |
|-----------------------------------|----------------------------|---|----------|
| Vehicle/office emblems | \$700 per emblem x 10 | = | \$7,000 |
| Long-sleeve police uniform shirts | \$78 per shirt x 68 shirts | = | \$5,304 |
| Short-sleeve police uniform shirt | \$66 per shirt x 68 shirts | = | \$4,488 |
| 1,000 replacement uniform patches | \$2 per patch x 1,000 | = | \$2,000 |
| Replacement of coat patch | \$12 per coat x 34 coats | = | \$ 408 |
| Total costs | | | \$19,200 |

Capitol Police consulted with the Office of Administration/Information and Technology Systems Division (OA/ITSD) to determine technology-related costs associated with the bill. At this time, it is unknown which ITSD section would provide services to Capitol Police.

OA/ITSD indicated there would be a cost associated with moving Capitol Police information and programs from the Department of Public Safety to a new server under the Commission. However, the cost estimate is unknown at this time.

ASSUMPTION (continued)

Oversight notes the one-time costs as outlined by Capitol Police to replace existing emblems, department patches, and uniforms. Oversight assumes each shirt and coat (one inner coat and one outer coat) would require two patches, one for each sleeve. In addition, vehicle and office emblems would also need to be replaced to reflect this change.

Oversight notes OA/ITSD is unable to provide an estimate of the cost associated with moving the information and programs from the Department of Public Safety to a new server under the Commission, Oversight will reflect CP's impact as (\$19,200 to Unknown) for fiscal note purposes.

Oversight notes this proposal would transfer the Capitol Police from the Department of Public Safety to the Missouri State Capitol Commission. The Capitol Police has been the primary law enforcement agency for the 72-acre state office building campus known as the Capitol Complex since 1983. Officers patrol the buildings and grounds in their jurisdiction 24 hours a day, seven days a week. Patrols are made on foot, by vehicle and on bicycle. Criminal investigations, medical emergencies, traffic accidents, security and fire alarms and security escorts are only a few of the many incidents and calls for service officers provide to over 15,000 state employees and over 200,000 annual visitors to the seat of government. Using the Governor's Executive Budget recommendation for FY 2020, Oversight will show a transfer of \$1,824,003 and 40 FTE from the Department of Public Safety to the Missouri State Capitol Commission.

Officials from the **Office of Administration (OA)** stated no fiscal impact. OA does not assume any added responsibilities as a result of this legislation. OA states the Capitol Commission currently does not have sufficient appropriation authority to pay the officer's salaries nor do they have staff to oversee the Capitol Police and the day-to-day operations.

In response to similar legislation filed this year, HB 982, Oversight notes that the **Department of Public Safety - Office of the Director, Missouri House of Representatives and Missouri Senate** have stated the proposal would not have a direct fiscal impact on their organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

ASSUMPTION (continued)

§94.902.1(8) Riverside Public Safety Tax

Officials at the **DOR** assume this would allow for the City of Riverside to put on the ballot a tax increase for public safety, which would take effect upon the approval of the City of Riverside's voters.

During the 2017 calendar year, the City of Riverside reported \$126,487,773 in total taxable sales. If the City of Riverside were to impose an additional sales tax of one-half of one percent (0.5%), potential revenue collections could increase by an estimated \$632,439 ($\$126,487,773 \times 0.5\%$). The Department shall retain one percent for cost of collection (\$6,324).

| General Revenue Fund | | |
|----------------------|---------|---------|
| FY 20 | FY21 | FY 22 |
| \$6,324 | \$6,324 | \$6,324 |

| Gain to Local Revenues (Riverside) | | |
|------------------------------------|-----------|-----------|
| FY 20 | FY 21 | FY 22 |
| \$632,439 | \$632,439 | \$632,439 |

If the City of Riverside either fails to put a measure on the ballot, or the voters reject the ballot measure, there would be no Local, General Revenue or Total State Revenue impact.

Oversight notes this proposal would become effective August 28, 2019. Oversight notes the cutoff date for the November general election ballot is August 27, 2019. Therefore, Oversight assumes the question could be put before the voters at the April 7, 2020 municipal election (FY 2020) ballot. Therefore, the earliest the sales tax could become effective would be the first day of the second calendar quarter after the Department of Revenue is notified of voter approval. In this case, the earliest effective date assuming voter approval at a April 2020 election would be October 1, 2020 (FY 2021). Therefore, only nine months of taxes could be collected in FY 2021.

Oversight notes that if the proposal is adopted, DOR would be allowed to keep 1% of the amount of sales tax collected to cover their expenses. Oversight notes that DOR would retain \$6,324. Oversight will show the fee as \$0 (no sales tax increase is adopted by voters) to up to the amount listed for the City.

For fiscal note purposes, **Oversight** will indicate a range of additional local government revenue from \$0 (the sales tax is not adopted by the City of Riverside and/or voters fail to approve the sales tax) to up to \$632,439 for a full year of tax collections estimated by DOR.

ASSUMPTION (continued)

| City of Riverside - Taxable Sales Report | |
|--|------------------------------|
| FY 2018 | \$67,082,747 (6 month total) |
| FY 2017 | \$126,487,774 |
| FY 2016 | \$129,097,927 |
| FY 2015 | \$117,205,023 |

Source: Department of Revenue

§190.092 Defibrillators

Officials from the **Office of Administration's Division of Facilities Management, Design and Construction (FMDC)** stated this bill requires any person or entity that acquires an automated external defibrillator to take certain steps to notify EMS of its location and test and maintain it.

FMDC does not currently purchase defibrillators for most state facilities. However, a few have been placed in certain facilities and acquired by other state agencies/entities. FMDC assumes it would be the responsibility of any state agency/entity that purchases a defibrillator to comply with this statute. The cost for FMDC to comply with this statute for the few defibrillators FMDC has purchased to date is presumed to be under \$10,000. However, if FMDC were to acquire defibrillators for additional state facilities, the fiscal impact would increase. FMDC oversees approximately 490 leased and 250 state-owned locations statewide. If a defibrillator were purchased for each one, FMDC assumes one full-time employee (FTE) would be needed to perform the function required by this bill. To cover the duties listed above, FMDC would likely need to hire a certified nurse/paramedic/inspector/emergency management coordinator. The salary estimate for such an employee would be \$50,000-\$60,000 a year for each FTE. The estimated cost of travel is \$10,000 annually. Therefore, FMDC estimates that the impact of this bill is \$0 to \$70,000 annually. This does not include the cost of purchasing defibrillators.

Oversight notes the FMDC originally assumed the intent of this proposal was to maintain current defibrillators and, therefore, would not have a fiscal impact to the state. However, upon further evaluation, FMDC now assumes it would need to maintain and potentially purchase defibrillators for all leased and state-owned facilities on a statewide basis. Oversight assumes, for fiscal note purposes, the FMDC may need to hire 1 FTE at a salary of at least \$50,000 plus fringe benefits, travel and equipment and expense. Therefore, Oversight will range costs to the General Revenue from \$0 to (Unknown exceeding \$88,000) annually.

ASSUMPTION (continued)

In response to similar legislation filed this year, HB 1038, officials from the **St. Louis County Police Department** (St. Louis County PD) stated they have approximately 38 automated external defibrillators (AEDs) that would need to be tested on the 90-day schedule. Each test/inspection would take approximately 15 minutes. The total testing time would be 9.5 hours (38 AEDs * 15 minutes/60 minutes per hour = 9.5 hours). Additionally, the testing would have to be done every quarter (12 months/4 = every 3 months or approximately 90 days) to stay within the time-line of the proposal. This increases the testing time to 38 hours (9.5 hours * 4 quarters = 38 hours).

Because the locations of the AED vary across St. Louis County boundaries, drive time would be a significant addition to the cost of the tests. Drive time to each AED device is difficult to estimated due to varying time-lines.

The St. Louis County PD would have to devote a minimum of 40 hours a year, or 120 hours every three years, to test the AEDs. Basing the salary on a Professional Staff 110, the average hourly wage with fringe benefits is \$31.82 per hours. The estimated total cost per year is \$1,273 per year (\$3,818 for the three years of the fiscal note) to the St. Louis County PD.

Oversight does not have any information to the contrary for local government costs for this proposal. For fiscal note purposes, Oversight will reflect costs provided to all local governments as (Unknown).

In response to similar legislation filed this year, HB 1038, officials from the **University of Missouri Health Care System** have reviewed the proposed legislation and has determined that as written, it should not create expenses in excess of \$100,000 annually, which is an amount that can be absorbed within current funding levels.

Oversight contacted University of Missouri Health Care System (UMHCS) officials regarding their "less than \$100,000" fiscal impact. Officials indicated UMHCS currently has AEDs in their ambulances and throughout the institution. Although manufacturers' maintenance and care policies/procedures are followed, UMHCS has concerns there may be additional costs associated with this proposal above what is currently incurred and want to make sure they adhere to the provisions of the proposal. UMHCS officials also indicated that the expenses expected to be incurred under the provisions of this proposal would be "absorbable" within current funding levels.

In response to similar legislation filed this year, HB 1038, officials at the **Department of Health and Senior Services**, the **Department of Natural Resources**, the **Department of Public Safety: Director's Office**, **Capitol Police**, **Division of Fire Safety**, and the **Missouri State**

ASSUMPTION (continued)

Highway Patrol, the Missouri Department of Conservation, the City of Kansas City, Osage County, the Andrew County Health Department, the Bollinger County Health Center, the Columbia/Boone County Department of Public Health and Human Services, the Joplin Police Department, the Springfield Police Department, the St. Louis County Department of Justice Services, the Wellsville-Middletown R-1 School District, and State Technical College of Missouri have stated the proposal would not have a direct fiscal impact on their organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these organizations.

Based upon the responses we have received, **Oversight** will reflect a potential cost to local political subdivisions as well as colleges and universities to implement the provisions of this bill.

§195.010, §195.015 and §195.017 - Controlled substances

Officials from the **Department of Health and Senior Services (DHSS)** state the proposed legislation requires the promulgation of rules and regulations, which include the following duties (not all inclusive): establish guidelines, implement strategies, make evidence-based system changes, and create policy recommendations. The DHSS, Office of General Counsel will need an additional 0.1 FTE for an attorney (salary of \$64,500 per year) to perform the research necessary to ensure the new guidelines and information for this proposed legislation has been properly vetted and implementation is completed quickly and with fiscal responsibility. Due to current workload being at maximum limits, these costs cannot be absorbed. Costs associated with this portion of the proposal to General Revenue (GR) are estimated to be \$12,133 for FY 2020.

Oversight assumes 0.1 FTE would not be provided fringe benefits and the state would only pay Social Security and Medicare benefits of 7.65 percent.

Oversight assumes since DHSS states their workload currently being at maximum limits and the responsibility to perform the research necessary to ensure the new guidelines and information for this proposed legislation has been properly vetted and implementation is completed quickly and with fiscal responsibility, Oversight will range the cost of the partial FTE from \$0 to DHSS' estimate less fringe benefits over 7.65%.

DHSS states 195.015.4 of the proposed legislation requires the Division of Regulation and Licensure, Section for Health Standards and Licensure, Bureau of Narcotics and Dangerous Drugs (BNDD) to promulgate emergency rules within 30 days of publication in the federal register each time the Drug Enforcement Administration (DEA) designates a substance as a controlled substance or reschedules or deletes a substance. The DEA makes such changes an average of 20 times annually.

ASSUMPTION (continued)

It is assumed it will take a Health and Senior Services Manager approximately 16 hours to promulgate each emergency rule change. Based on 2,080 working hours per year, this would require 0.15 FTE to assume the duties set forth in the proposed section (16 hours X 20 rule changes ÷ 2,080 hours per year = 0.15) for a total personal service annual cost of \$9,915 (\$66,098 X 0.15).

§195.805 prohibits marijuana for medical use to be designed, produced, or marketed in a manner that is designed to appeal to persons under 18 years of age. It provides for enforcement actions on the part of the DHSS. The department expects to absorb these costs in the normal ebb and flow of its operations.

The DHSS anticipates being able to absorb these costs. However, until the FY20 budget is final, the department cannot identify specific funding sources.

Oversight obtained information from the DHSS regarding the U.S. Department of Justice, Drug Enforcement Administration (DEA) Diversion Control Division. Oversight determined that in the past 5 years (2014 - 2018), the DEA has taken scheduling actions on substances/controlled substances 99 times (average 19.8 actions per year). Based on this information the DHSS would need 0.15 FTE to manage the DEA's average annual change in substance/controlled substance schedules. Oversight assumes the additional duties can be performed within current funding/staffing levels.

Officials from the **Office of State Public Defender (SPD)** state for §195.010, if passed, this legislation would have a positive impact on the workload of SPD. Possession, manufacture, distribution, etc. of cannabis would no longer be unlawful. These are currently offenses that the SPD uses resources to defend but with the passage of this legislation, would no longer need to.

The exact positive impact is difficult to predict because cases are tracked by statutory offense and most drug offenses are not limited to marijuana. For purposes of this fiscal note, SPD will use 25 percent of the cases as relating to marijuana, although in this instance it could be less than the 25 percent reduction because this bill does not eliminate all marijuana charges.

The chart below shows the number of "drug" related offenses opened by SPD's Trial Division in FY2018 under the statutes that are being changed.

ASSUMPTION (continued)

| <u>Offense</u> | <u>Cases</u> | <u>Reduction of</u> | <u>Cases</u> |
|---|--|---------------------|--------------|
| 30 D = A/B Felony - Drug | 595 | 25% | 149 |
| 35 D = C/D/F Felony - Drug | <u>11,643</u> | 25% | <u>2,911</u> |
| Total | 12,238 | | 3,060 |
| Total Non-Probation Cases = 47,938 | Percentage of Total No-Probation Violation Cases = 6.38% | | |
| 65 F = Felony Probation Violations | 12,974 | | |
| 65 M = Misdemeanor Probation Violations | <u>2,483</u> | | |
| Total | 15,457 | PV's Using 6.38% | 986 |
| Grand Total Misdemeanors and Felonies | <u>27,695</u> | | <u>4,046</u> |

According to “The Missouri Project” (RubinBrown, June 2014), the relevant workload standards are A/B felonies, 47.6 hours per case; C/D felonies, 25.0 hours per case; misdemeanors, 11.7 hours per case; and probation violations, 9.8 hours per case. The workload standards include only case related tasks over which an attorney has some control. The study excludes in-court and travel time and thereby reflects a conservative estimate.

Applying those workload standards to the 4,046 cases would require 89,530 $[(149 \times 47.6) + (2,911 \times 25) = (986 \times 9.8)]$ attorney hours. With 2,080 hours per attorney each year, this represents the work of 43 attorneys $(89,530 / 2,080)$.

Therefore, despite the positive impact on the workload of the SPD, this reduction in attorney time would not allow the SPD to reduce its workforce and, therefore, would not translate into an actual cost savings.

Oversight assumes the SPD would not realize an overall savings from this proposal but instead would reallocate resources within its operations. Therefore, Oversight will reflect a \$0 impact for fiscal note purposes.

ASSUMPTION (continued)

Officials at the **SPD** stated for §195.015 they cannot assume that existing staff will provide effective representation for any new cases arising where indigent persons are charged with possession of a newly added substance to the controlled substance list. The Missouri State Public Defender System is currently providing legal representation in caseloads in excess of recognized standards.

In Fiscal Year 2018, SPD's Trial Division opened 2,431 "drug" related cases under Chapter 195 of the 63,395 total cases opened. This represents almost 4 percent of the total number of cases opened in FY18 (2,431 / 63,395).

While the number of new cases (or cases with increased penalties) may be too few or uncertain to request additional funding for this specific bill, the SPD will continue to request sufficient appropriations to provide effective representation in all cases where the right to counsel attaches.

Oversight notes over the last three fiscal years, the SPD has lapsed a total of \$152 of General Revenue appropriations (\$0 out of \$36.4 million in FY 2016; \$2 out of \$28.0 million in FY 2017; and \$150 out of \$42.5 million in FY 2018). Therefore, Oversight assumes the SPD is at maximum capacity, and the increase in workload resulting from this bill cannot be absorbed within SPD's current resources.

Adding one additional Assistant Public Defender 1 (APD) with a starting salary of \$47,000, will cost approximately \$74,500 per year in personal service and fringe benefit costs. One additional APD II (\$52,000 per year; eligible for consideration after 1 year of successful performance at

APD I) will cost the state approximately \$81,000 per year in personal service and fringe benefit costs. When expense and equipment costs such as travel, training, furniture, equipment and supplies are included, Oversight assumes the cost for a new APD could approach \$100,000 per year.

Oversight assumes the SPD cannot absorb the additional caseload that may result from this proposal within their existing resources and, therefore, will reflect a potential additional cost of (Less than \$100,000) per year to the General Revenue Fund.

§195.805 - Marketing of marijuana products

Officials at the **DHSS** stated §195.805 prohibits marijuana for medical use to be designed, produced, or marketed in a manner that is designed to appeal to persons under 18 years of age. It provides for enforcement actions on the part of the DHSS. The department expects to absorb these costs in the normal ebb and flow of its operations.

ASSUMPTION (continued)

DOC officials state this provision of the proposal will have no fiscal impact on their organization.

Oversight does not have any information to the contrary. Therefore, for fiscal note purposes, Oversight will reflect no fiscal impact for this provision of the proposal as provided by DOC.

Oversight notes provisions of 195.805.3 provides for departmental sanctions, including administrative penalties, for any licensed or certified entity regulated by the Department of Health and Senior Services that designs, produces, or markets medical marijuana products that would appeal to persons under eighteen years of age. Administrative penalties are distributed to school districts based on the location of the entity receiving the penalty. It is unknown whether penalties will be imposed or how much in penalties may be distributed to school districts. Therefore, Oversight will present penalties to school districts as \$0 to Unknown, for fiscal note purposes.

§321.242 Fire Protection District

Officials at the **DOR** assume this section would change the current top sales tax rate of one-fourth of one percent to one half of one percent.

Under the parameters outlined under this section the Department currently collects from one jurisdiction. In FY 2018 the Raytown Fire Protection District collected \$494,661.94. This was collected at the 0.25% rate. Total taxable sales amounted to \$197.9 million. With an increase of the tax to 0.5% the Raytown Fire Protection District would collect an estimated \$989,323.88. The Department would collect a 1% collection fee, which would go to General Revenue. This would be an estimated \$4,946.26 to General Revenue if passed by voter approval.

The Department sees no administrative cost for this proposed legislation.

In response to the previous version of this proposal, officials at the **Office of Administration Division of Budget and Planning (B&P)** assumed this allows increasing the sales tax for the described fire protection district from 0.25% up to 0.50% for the purpose of funding fire protection.

According to the State Demographer, the description of any first class county in subsection 1 has population parameters that fit the population of the City of Ballwin. However, the exclusion of a first class county with a population in excess of 900,000 would mean that St. Louis County, where the City of Ballwin is located, would not be among the fire protection districts or municipalities imposing this sales tax increase. In fact, a demographic search of first class

ASSUMPTION (continued)

counties does not yield any city that meets the population parameters of 30,000 to 35,000 inhabitants.

The sponsor's Senate floor discussion indicates that the intent is to allow Kansas City to increase its current sales tax from one-fourth of one percent to one-half of one percent. The second half of the description (after the "or" in 321.242.1) covers Kansas City.

Currently, DOR knows of 19 fire protection districts with a sales tax. The City of Raytown's fire protection sales tax is the only one of the 19 with a one-fourth of one percent sales tax. In FY 2018, the City of Raytown received \$494,661 in revenue on this tax. Using this data, the projected increase to the DOR collection fee would be \$4,946 after the sales tax increase. This DOR collection amount would impact Total State Revenue. Because the sales tax increase would be subject to voter approval, there would be no impact to the calculation of Article X, Section 18(e).

With only one year of sales tax data from City of Raytown fire protection sales tax collections, B&P is unable to project future years of tax revenues and collection fees. Therefore, Budget and Planning defers to DOR for estimates of specific collection costs and projected sales tax revenues.

Oversight notes that §321.242 currently allows certain fire protection districts or municipal fire departments to impose a sales tax rate upon a vote of its people at a rate of one-fourth of one percent for the district. As pointed out by B&P it is unclear which fire protection districts are covered by §321.242. This proposal would change the language to allow "up to one-half of one percent" which would allow the fire protection districts or municipal fire departments under this section the flexibility to choose their sales tax amount up to one-half of one percent. Oversight is unclear as to exactly which fire protection districts would fall under this increased rate. Oversight will show the impact as \$0 (none take action or not approved by voters) to an unknown amount of sales tax revenue (and 1% collection fee for DOR).

§488.5050 Extends the expiration date of the DNA Profiling Analysis Fund

In response to similar legislation filed this year, SB 20, officials from the **Missouri State Highway Patrol (MHP)** stated this proposal extends the expiration of a criminal court surcharge for the DNA Profiling Analysis Fund from August 28, 2019, to August 28, 2029.

Pursuant to 650.052, RSMo, the MHP is designated as the central repository for the DNA profiling system known as CODIS or the Combined DNA Index System. The CODIS Unit of the MSHP Crime Laboratory manages the Offender DNA Profiling program and collaborates with

ASSUMPTION (continued)

the seven other Missouri CODIS laboratories, allowing for their participation in the National DNA Index System. The CODIS Unit receives an average of 21,000 offender DNA samples annually for entry into CODIS, where they are searched against DNA profiles developed from crime scene evidence, unidentified human remains, and missing persons. To date, this program has assisted over 14,300 investigations. It is an invaluable tool for law enforcement in Missouri and nationwide.

It costs \$28.93 per sample/DNA profile in raw consumables to produce a DNA profile by our CODIS unit. If labor costs, instrument, and software maintenance are included, the cost per sample/DNA profile can approach \$46.13.

Failure to address this funding source will not only result in a laboratory budgetary shortfall of approximately \$968,651 each year or the discontinuation of the program which would result in an average of 21,000 offender DNA samples annually not being registered in the CODIS DNA database but could also obviate a return on investment to the citizens of Missouri.

Additional internal calculations are based on the 2017 MSHP Criminal Justice Information Services (CJIS) arrest statistics and the Crime Lab 2017 arrestee offender sample intake. FTE needs and cost calculations are based on the unit's present estimated processing capacity and operational costs.

Oversight does not have any information contrary to that provided by the MHP. Therefore, Oversight will reflect MHP's impact for fiscal note purposes.

Oversight notes the proposal extends income to the DNA Profiling Fund (0772). The balance of the fund at December 31, 2018 was \$3,550,916 and receipts into this fund over the past five fiscal years have been:

FY2018 - \$1,170,953
FY2017 - \$1,169,311
FY2016 - \$1,224,606
FY2015 - \$1,279,702
FY2014 - \$1,323,673

(Source: Missouri State Treasurer, Fiscal Year End Fund Activity Reports).

ASSUMPTION (continued)

Oversight notes over the past five years, this fund averaged \$1,233,649 in annual receipts ($\$1,170,953 + \$1,169,311 + \$1,224,606 + \$1,279,702 + 1,323,673 = \$6,168,245 / 5$). For fiscal note purposes, Oversight will use the five-year average as a basis of annual collections into this fund. Oversight assumes income to the fund will more than exceed MHP's estimated costs for the program.

In response to similar legislation filed this year, SB 20, officials at the **B&P** and **Office of State Courts Administrator** stated the proposal would not have a direct fiscal impact on their organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

§§565.021, 579.015, 579.065, 579.068 - Increase in criminal penalties

Officials from the **Department of Corrections (DOC)** state the bill makes changes to the schedule of controlled substances and adds drug offenses to four criminal statutes.

§565.021 - 2nd Degree Murder

This section adds the offense of manufacturing, delivering or distributing a schedule I or II controlled substance that caused or was a contributing factor in the death of a person. The number of deaths from drug overdoses is a national concern and Missouri reported 1,367 deaths from drug overdoses during 2017 (**Oversight** determined this is the most recent data available from the Centers for Disease Control and Prevention (CDC)). At present it is unknown the number of convictions of the providers of the controlled substance, but the DOC is estimating one per year will receive a prison sentence. It is also likely that the offender would be sentenced to a drug offense but the conviction will be concurrent with the murder conviction.

In FY18 the average sentence for 2nd degree murder was 21.0 years and offenders will serve 85% of their time before parole. The expected time served is 17.9 years which is beyond the 10 year budget horizon. In FY2029 the population increase is estimated to be 10.

§579.015 - Possession of a controlled substance

This section increases the felony class from D to C if the offender is employed as an emergency care provider or other care assistant. The US Bureau of Labor Statistics reported in 2017 personal care assistants comprised 1.42% of the occupational workforce so the DOC is estimating that 1.42% of offenders convicted of drug possession will be sentenced for the class C offense. The offense is estimated to increase the average sentence from 4.3 years to 7 years (the average sentence for drug distribution). There were 1,176 prison admissions (FY 18) for drug possession of which 17 will be sentenced for a class C felony. Time served for the class D

ASSUMPTION (continued)

offense in FY18 is 28.9% and 33.5% for the class C. The change will add 2 offenders to the population in FY22.

Oversight obtained information from the Bureau of Labor Statistics (May 2017 National Occupational Employment and Wage Estimates (most recent available)). The Personal Care Aids employment category (Occupation code 39-9021) employs 2,035,610 persons nationwide and the total employment for all occupational categories is 142,549,250. Therefore, personal care aids comprise 1.428% of the occupational workforce.

§579.065 - 1st Degree Drug Trafficking

DOC officials state this version of the proposal reduces the amounts of fentanyl that will make the offense a drug trafficking offense. The effect of this change is likely to make more drug offenses involving fentanyl sentenced for drug trafficking instead of drug distribution or drug possession. The DOC estimate for the introduced version of this proposal did not use the amount of fentanyl involved in drug offenses and as a result, it is assumed the fiscal impact of this proposal will be unchanged.

In FY18, 20% of drug distribution new admissions were estimated to be for Fentanyl and there were 9 new prison admissions for 1st degree drug trafficking. Applying the 20% expansion factor results in an expected increase of 2 additional new admissions who would have been sentenced to drug distribution. The average sentence will increase from 7.0 years to 9.4 years and the percent of time served from 33.5% to 42%. The prison population is expected to increase by 2 in FY24 and stabilize at 4 in FY25.

§579.068 - 2nd Degree Trafficking

This section adds Fentanyl to the list of controlled substances if the amount is greater than 10 grams. In FY18, 23% of drug possession new admissions are estimated to have been for fentanyl, and there were 34 new admissions for 2nd degree drug trafficking. The impact is expected to be 5 offenders charged with 2nd degree drug trafficking instead of drug possession. The average sentence will increase from 4.3 years to 7 years and the average time served will increase from 28.9% to 33.5%. The population will increase by 4 in FY22 and stabilize at 9 in FY23.

There is no impact on probation sentencing from these statute changes because the probation term will be unchanged.

The **total** impact of the legislation is an increase in the prison population by 24 in FY29 and an increase of 5 in the field (probation) population.

ASSUMPTION (continued)

Table: §565.021, §579.015, §579.065, §579.068 - Increase in criminal penalties

| | # to prison | Cost per year | Total Costs for prison | # to probation & parole | Cost per year | Total cost for probation and parole | Grand Total - Prison and Probation (includes and 2% inflation) |
|---------|----------------|------------------|----------------------------------|-------------------------------|------------------|--|--|
| Year 1 | 1.0 | (\$6,287) | (\$5,239) | 0 | absorbed | \$0 | (\$5,239) |
| Year 2 | 2.0 | (\$6,287) | (\$12,825) | 0 | absorbed | \$0 | (\$12,825) |
| Year 3 | 8.0 | (\$6,287) | (\$52,328) | 0 | absorbed | \$0 | (\$52,328) |
| Year 4 | 14.0 | (\$6,287) | (\$93,405) | 0 | absorbed | \$0 | (\$93,405) |
| Year 5 | 17.0 | (\$6,287) | (\$115,689) | 0 | absorbed | \$0 | (\$115,689) |
| Year 6 | 20.0 | (\$6,287) | (\$138,827) | 0 | absorbed | \$0 | (\$138,827) |
| Year 7 | 21.0 | (\$6,287) | (\$148,684) | 0 | absorbed | \$0 | (\$148,684) |
| Year 8 | 22.0 | (\$6,287) | (\$158,879) | 0 | absorbed | \$0 | (\$158,879) |
| Year 9 | 23.0 | (\$6,287) | (\$169,423) | 0 | absorbed | \$0 | (\$169,423) |
| Year 10 | 24.0 | (\$6,287) | (\$180,325) | 0 | absorbed | \$0 | (\$180,325) |

Oversight does not have any information to the contrary. Therefore, Oversight will reflect the impact provided by DOC in the fiscal note.

Officials from the **Office of State Public Defender (SPD)** stated, for the purpose of this proposed legislation, they cannot assume that existing staff will provide effective representation for any new cases arising where indigent persons are charged with possession of a newly added substance to the controlled substance list. The Missouri State Public Defender System is currently providing legal representation in caseloads in excess of recognized standards.

While the number of new cases (or cases with increased penalties) may be too few or uncertain to request additional funding for this specific bill, the SPD will continue to request sufficient appropriations to provide effective representation in all cases where the right to counsel attaches.

In Fiscal Year 2018, SPD's Trial Division opened 2,431 "drug" related cases (Chapter 195). These drug cases represent almost 4% of the total Trial Division caseload of 63,395.

Oversight notes over the last three fiscal years, the SPD has lapsed a total of \$152 of General Revenue appropriations (\$0 out of \$36.4 million in FY 2016; \$2 out of \$28.0 million in FY 2017; and \$150 out of \$42.5 million in FY 2018). Therefore, Oversight assumes the SPD is at

ASSUMPTION (continued)

maximum capacity and the increase in workload resulting from this bill cannot be absorbed within SPD's current resources.

Adding one additional Assistant Public Defender 1 (APD) with a starting salary of \$47,000, will cost approximately \$74,500 per year in personal service and fringe benefit costs. One additional APD II (\$52,000 per year; eligible for consideration after 1 year of successful performance at

APD I) will cost the state approximately \$81,000 per year in personal service and fringe benefit costs. When expense and equipment costs such as travel, training, furniture, equipment and supplies are included, **Oversight** assumes the cost for a new APD could approach \$100,000 per year.

Oversight assumes the SPD cannot absorb the additional caseload that may result from this proposal within their existing appropriation. With drug-related cases a large portion of SPD's workload, Oversight will assume the changes in this proposal could result in costs exceeding \$100,000 per year to the Office of the State Public Defender.

Oversight notes that the **Missouri Office of Prosecution Services** has stated the proposal would not have a fiscal impact on their organization. However, the creation of a new crime creates additional responsibilities for county prosecutors which may in turn result in additional costs which are difficult to determine. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this organization.

§579.020 - Distribution of heroin

Officials from the **Department of Corrections (DOC)** state the bill proposes to make delivery of a controlled substance that contains heroin a class B felony and a dangerous felony. Since January 2017, distribution of a controlled substance is a class C felony. In FY 2018 there were 62 new admissions for the distribution of heroin (15 percent of new admissions for drug distribution). The average sentence was seven years, and the percent of sentence served before first release was 33.5 percent. If the sentence is enhanced to a class B felony, the average sentence would be expected to increase to 8.9 years (the average sentence of those sentenced when the offense was a class B) and the offenders would serve 85 percent before first release. The impact includes an estimate of 35 percent of the remaining sentence after the first release for the incarceration of parole returns.

The full impact is estimated to be an increase in the prison population of 260 in FY 2028 and a reduction in the parole population of 143 because more of the sentence is served in prison. The impact will begin after the offenders serving the current sentence would be released (FY 2023).

ASSUMPTION (continued)

| | # to prison | Cost per year | Total Costs for prison | # to probation & parole | Cost per year | Total cost for probation and parole | Grand Total - Prison and Probation (includes 2% inflation) |
|---------|----------------|------------------|----------------------------------|-------------------------------|------------------|--|--|
| Year 1 | 0 | (\$6,287) | \$0 | 0 | absorbed | \$0 | \$0 |
| Year 2 | 0 | (\$6,287) | \$0 | 0 | absorbed | \$0 | \$0 |
| Year 3 | 0 | (\$6,287) | \$0 | 0 | absorbed | \$0 | \$0 |
| Year 4 | 6 | (\$6,287) | (\$40,031) | -6 | absorbed | \$0 | (\$40,031) |
| Year 5 | 68 | (\$6,287) | (\$462,757) | -68 | absorbed | \$0 | (\$462,757) |
| Year 6 | 130 | (\$6,287) | (\$902,376) | -130 | absorbed | \$0 | (\$902,376) |
| Year 7 | 192 | (\$6,287) | (\$1,359,395) | -192 | absorbed | \$0 | (\$1,359,395) |
| Year 8 | 254 | (\$6,287) | (\$1,834,334) | -192 | absorbed | \$0 | (\$1,834,334) |
| Year 9 | 260 | (\$6,287) | (\$1,915,218) | -143 | absorbed | \$0 | (\$1,915,218) |
| Year 10 | 260 | (\$6,287) | (\$1,953,522) | -143 | absorbed | \$0 | (\$1,953,522) |

Oversight does not have any information to the contrary. Therefore, Oversight will reflect the impact provided by DOC in the fiscal note.

For the purpose of this proposed legislation, officials from the **Office of State Public Defender (SPD)** state they cannot assume that existing staff will provide effective representation for any new cases arising where indigent persons are charged with the enhanced penalties for distribution of heroin - a class B felony. The Missouri State Public Defender System is currently providing legal representation in caseloads in excess of recognized standards.

In Fiscal Year 2018, SPD's Trial Division opened 1,165 cases (or approximately 1.8%) under charge code 579.020 of the 63,395 total cases opened.

While the number of new cases (or cases with increased penalties) may be too few or uncertain to request additional funding for this specific bill, the SPD will continue to request sufficient appropriations to provide effective representation in all cases where the right to counsel attaches.

Oversight notes over the last three fiscal years, the SPD has lapsed a total of \$152 of General Revenue appropriations (\$0 out of \$36.4 million in FY 2016; \$2 out of \$28.0 million in FY 2017; and \$150 out of \$42.5 million in FY 2018). Therefore, Oversight assumes the SPD is at maximum capacity, and the increase in workload resulting from this bill cannot be absorbed within SPD's current resources.

ASSUMPTION (continued)

Adding one additional Assistant Public Defender 1 (APD) with a starting salary of \$47,000, will cost approximately \$74,500 per year in personal service and fringe benefit costs. One additional APD II (\$52,000 per year; eligible for consideration after 1 year of successful performance at APD I) will cost the state approximately \$81,000 per year in personal service and fringe benefit costs. When expense and equipment costs such as travel, training, furniture, equipment and supplies are included, Oversight assumes the cost for a new APD could approach \$100,000 per year.

According to “The Missouri Project” (RubinBrown, June 2014), the number of hours that should be spent on a C/D/E felony case is 28.5. This number takes into account time for travel and in-court appearances. In contrast, the number of hours that should be spent on an A/B felony case is 54.3. This equates to a difference of 25.8 additional hours spent on an A/B felony case versus a C/D/E felony case ($54.3 - 28.5 = 25.8$). For purposes of this fiscal note, the **SPD** assumes 5 percent or approximately 58 individuals previously charged with a C/D/E felony will now be charged with an A/B felony. This equates to an additional 1,496.40 hours ($25.8 \text{ hours} \times 58 \text{ cases}$) annually. With 2,080 work hours in a year, the SPD would need one additional attorney to meet the requirements of this legislation ($1,496.40 / 2,080$).

Oversight assumes the SPD cannot absorb the additional caseload that may result from this proposal within their existing resources and, therefore, will reflect a potential additional cost of (Less than \$100,000) per year to the General Revenue Fund.

Oversight notes that the **Missouri Office of Prosecution Services** and **Office of State Courts Administrator** have stated the proposal would not have a direct 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.

§569.086 Infrastructure Facility

Officials from the **SPD** stated they cannot assume that existing staff will provide effective representation for any new cases arising where indigent persons are charged with the proposed new crime of willful trespass on a critical infrastructure facility - a new class B misdemeanor. If the intent was to damage, the offense is a new class A misdemeanor. If there is damage, the offense would be a new class C felony. The Missouri State Public Defender System is currently providing legal representation in caseloads in excess of recognized standards.

While the number of new cases (or cases with increased penalties) may be too few or uncertain to request additional funding for this specific bill, the SPD will continue to request sufficient appropriations to provide effective representation in all cases where the right to counsel attaches.

ASSUMPTION (continued)

Oversight notes over the last three fiscal years, the SPD has lapsed a total of \$152 of General Revenue appropriations (\$0 out of \$36.4 million in FY 2016; \$2 out of \$28.0 million in FY 2017; and \$150 out of \$42.5 million in FY 2018). Therefore, Oversight assumes the SPD is at maximum capacity, and the increase in workload resulting from this bill cannot be absorbed within SPD's current resources.

Adding one additional Assistant Public Defender 1 (APD) with a starting salary of \$47,000, will cost approximately \$74,500 per year in personal service and fringe benefit costs. One additional APD II (\$52,000 per year; eligible for consideration after 1 year of successful performance at APD I) will cost the state approximately \$81,000 per year in personal service and fringe benefit costs. When expense and equipment costs such as travel, training, furniture, equipment and supplies are included, Oversight assumes the cost for a new APD could approach \$100,000 per year.

Oversight assumes the SPD cannot absorb the additional caseload that may result from this proposal within their existing resources and, therefore, will reflect a potential additional cost of (Less than \$100,000) per year to the General Revenue Fund.

Oversight notes that according to the Office of the State Courts Administrator, there was 1,281 guilty pleas or verdicts for Section 569.140 (Trespass - 1st degree) and 9 guilty pleas or verdicts for Section 569.145 (Trespass on Real Property Marked as Required) in FY18. Both of these offenses are class B misdemeanors.

In response to similar legislation filed this year, HB 954, officials from the **Missouri Office of Prosecution Services (MOPS)** assumed the proposal will have no measurable fiscal impact on MOPS. The creation of a new crime creates additional responsibilities for county prosecutors which may, in turn, result in additional costs, which are difficult to determine.

Officials at the **Department of Corrections, Department of Public Safety (Missouri State Highway Patrol and State Emergency Management Agency), Office of State Courts Administrator and Metropolitan St. Louis Sewer District** have stated the proposal would not have a direct fiscal impact on their organizations.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

ASSUMPTION (continued)

Oversight assumes that if there are fines assessed from these provisions, the fine revenue would be paid to the local school districts. For simplicity, Oversight will not reflect the possibility that fine revenue paid to school districts may act as a subtraction in the foundation formula the following year.

This proposal contains an emergency clause.

§217.735, §559.106, §589.400, §589.401 and §589.414 Relating to Sexual Offenders

In response to similar legislation filed this year, HB 1151, officials from the **DOC** stated the DOC is responsible for supervising those who are charged with failure to register. Failure to register as a sex offender is in violation of 589.425, RSMo, with penalties of class D, E or unclassified felonies. While this bill proposes no new penalties, the expanded registry population increases the potential of a violation of 589.425, RSMo, and other restrictions such as housing. On December 31, 2017, the Missouri sex offender registry had 15,882 individuals. An audit by the Office of State Auditor discovered 1,259 sex offenders (7.9%) noncompliant with registration. In FY18, the number of convictions for failure to register is 85 persons (6.8% of those who are noncompliant on registration). Of those who must register because of passage of FN 2347-03, three would be expected to fail to register; however only 6.8% noncompliant on registration are convicted. Therefore, we would expect no one would be convicted because of failure to register with enactment of this bill.

Oversight does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect DOC's no impact for fiscal note purposes.

In response to similar legislation filed this year, HB 1151, officials at the **MHP** has stated the proposal would not have a direct fiscal impact on their organization. Missouri's current legislation has already been deemed substantially compliant with the Sex Offender Registration and Notification Act (SORNA), and components of this proposed legislation would be more restrictive than SORNA.

Officials at the **Attorney General's Office, Department of Health and Senior Services, Department of Mental Health, Department of Social Services, Missouri Office of Prosecution Services, Office of State Courts Administrator and Joplin Police Department** have stated the proposal would not have a direct fiscal impact on their organizations.

Officials at the **Springfield Police Department, St. Louis County Police Department, St. Louis County Department of Justice Services and St. Louis County** stated the proposal would not have a direct fiscal impact on their organizations.

ASSUMPTION (continued)

Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

§590.120 Peace Officer Standards Training

In response to similar legislation filed this year, HB 1163, officials at the **Department of Public Safety - Office of the Director** and **Governor's Office** have stated the proposal would not have a direct fiscal impact on their organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

FISCAL IMPACT -
State Government

| | FY 2020 (10 Mo.) | FY 2021 | FY 2022 | Fully Implemented (FY 2029) |
|--|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|
| GENERAL REVENUE | | | | |
| <u>Cost</u> - CP §8.177 - One-time costs to replace emblems, uniforms, patches p 4 | (\$19,200) | \$0 | \$0 | \$0 |
| <u>Cost</u> - OA/ITSD §8.177 - Moving CP information and programs from DPS to Commission p 4 | (Unknown) | \$0 | \$0 | \$0 |
| <u>Additional Revenue</u> - DOR - §94.902 1% DOR Collection fee - Riverside p 6 | \$0 | \$0 to \$4,743 | \$0 to \$6,324 | \$0 to \$6,324 |
| <u>Costs</u> - FMDC (\$190.092) p. 7 | \$0 or Could exceed | \$0 or Could exceed | \$0 or Could exceed | \$0 or Could exceed |
| Personal service | (\$41,667) | (\$50,500) | (\$51,005) | (\$54,684) |
| Fringe benefits | (\$23,206) | (\$27,999) | (\$28,153) | (\$29,274) |
| Travel | <u>(\$8,333)</u> | <u>(\$10,250)</u> | <u>(\$10,506)</u> | <u>(\$12,489)</u> |
| Total <u>Costs</u> - FMDC | \$0 or (Could exceed \$73,206) | \$0 or (Could exceed \$88,749) | \$0 or (Could exceed \$89,664) | \$0 or (Could exceed \$96,447) |
| FTE Change - FMDC | 0 or 1 FTE | 0 or 1 FTE | 0 or 1 FTE | 0 or 1 FTE |

FISCAL IMPACT -
State Government
 (continued)
GENERAL
REVENUE
 (continued)

Cost - DHSS
 (§195.015)

| | FY 2020 (10 Mo.) | FY 2021 | FY 2022 | Fully Implemented (FY 2029) |
|------------------------------------|-------------------------|------------|------------|-----------------------------------|
| Personal service (0.1 Attorney) | \$0 to (\$5,375) | \$0 | \$0 | \$0 |
| Fringe benefits | \$0 to (\$411) | \$0 | \$0 | \$0 |
| Equipment and expense | <u>\$0 to (\$4,069)</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |
| <u>Total Costs - DHSS</u> | <u>\$0 to (\$9,855)</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |
| FTE Change - DHSS p. 9 | 0 to 0.1 FTE | 0 FTE | 0 FTE | 0 FTE |

Cost - SPD
 (§§195.015,
 195.017, 556.061,
 569.086, 579.020)
 Personal service,
 fringe benefits and
 equipment and
 expense for
 additional SPD(s)
 pages 12, 19, 21, 22

| | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|
| (Less than \$100,000) | (Less than \$100,000) | (Less than \$100,000) | (Less than \$100,000) |
|--------------------------|--------------------------|--------------------------|--------------------------|

Additional Revenue
 - DOR §321.242
 1% DOR Collection
 fee from FPD p 14

| | | | |
|----------------|----------------|----------------|----------------|
| \$0 to Unknown | \$0 to Unknown | \$0 to Unknown | \$0 to Unknown |
|----------------|----------------|----------------|----------------|

| <u>FISCAL IMPACT -</u> <u>State Government</u> (continued) GENERAL REVENUE (continued) | FY 2020 (10 Mo.) | FY 2021 | FY 2022 | Fully Implemented (FY 2029) |
|---|--|--|--|--|
| <u>Cost - DOC</u> (§§556.061, 565.021, 579.015, 579.020, 579.065, 579.068) increase in incarceration pages 18, 20 | (\$5,239) | (\$12,825) | (\$52,328) | (\$2,133,847) |
| ESTIMATED NET EFFECT ON GENERAL REVENUE | <u>Unknown to</u> <u>(Unknown -</u> <u>Could exceed</u> <u>\$207,500)</u> | <u>(Unknown -</u> <u>Could exceed</u> <u>\$201,574)</u> | <u>(Unknown -</u> <u>Could exceed</u> <u>\$241,992)</u> | <u>(Unknown -</u> <u>Could exceed</u> <u>\$2,330,294)</u> |
| Estimated Net FTE Change on General Revenue | 0 or 1.1 FTE | 0 or 1 FTE | 0 or 1 FTE | 0 or 1 FTE |
| DEPARTMENT OF PUBLIC SAFETY | | | | |
| <u>Reallocation -</u> §8.177 - CP funding and 40 FTE from DPS to Commission p 4 | <u>\$1,824,003</u> | <u>\$1,824,003</u> | <u>\$1,824,003</u> | <u>\$1,824,003</u> |
| ESTIMATED NET EFFECT TO THE DEPARTMENT OF PUBLIC SAFETY | <u>\$1,824,003</u> | <u>\$1,824,003</u> | <u>\$1,824,003</u> | <u>\$1,824,003</u> |

| | | | | |
|--|---------------------|---------|---------|-----------------------------------|
| <u>FISCAL IMPACT -</u> <u>State Government</u> (continued) | FY 2020 (10 Mo.) | FY 2021 | FY 2022 | Fully Implemented (FY 2029) |
|--|---------------------|---------|---------|-----------------------------------|

**MISSOURI
STATE CAPITOL
COMMISSION**

Reallocation -
 §8.177 - CP funding
 and 40 FTE into the
 Commission p 4

| | | | |
|----------------------|----------------------|----------------------|----------------------|
| <u>(\$1,824,003)</u> | <u>(\$1,824,003)</u> | <u>(\$1,824,003)</u> | <u>(\$1,824,003)</u> |
|----------------------|----------------------|----------------------|----------------------|

**ESTIMATED NET
EFFECT TO THE
COMMISSION**

| | | | |
|----------------------|----------------------|----------------------|----------------------|
| <u>(\$1,824,003)</u> | <u>(\$1,824,003)</u> | <u>(\$1,824,003)</u> | <u>(\$1,824,003)</u> |
|----------------------|----------------------|----------------------|----------------------|

**COLLEGES AND
UNIVERSITIES**

Cost - §190.092
 Colleges and
 Universities - AED
 maintenance and
 upkeep p. 7

| | | | |
|-------------------------|-------------------------|-------------------------|-------------------------|
| <u>\$0 or (Unknown)</u> | <u>\$0 or (Unknown)</u> | <u>\$0 or (Unknown)</u> | <u>\$0 or (Unknown)</u> |
|-------------------------|-------------------------|-------------------------|-------------------------|

**ESTIMATED NET
EFFECT ON
COLLEGES AND
UNIVERSITIES**

| | | | |
|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|
| <u>\$0 or</u> <u>(Unknown)</u> | <u>\$0 or</u> <u>(Unknown)</u> | <u>\$0 or</u> <u>(Unknown)</u> | <u>\$0 or</u> <u>(Unknown)</u> |
|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|

FISCAL IMPACT -
State Government
 (continued)

FY 2020
 (10 Mo.)

FY 2021

FY 2022

Fully
 Implemented
 (FY 2029)

**DNA PROFILING
 ANALYSIS FUND
 (0772)**

Income - Extension
 of Expiration Date
 for §488.5050 from
 08/28/19 to 08/28/29
 p 14

\$1,028,041

\$1,233,649

\$1,233,649

\$1,233,649

**ESTIMATED NET
 EFFECT ON THE
 DNA PROFILING
 ANALYSIS FUND**

\$1,028,041

\$1,233,649

\$1,233,649

\$1,223,649

FISCAL IMPACT -
Local Government

FY 2020
 (10 Mo.)

FY 2021

FY 2022

Fully
 Implemented
 (FY 2029)

**LOCAL
 POLITICAL
 SUBDIVISIONS**

Additional Revenues
 - Riverside §94.902
 additional half cent
 sales tax for Public
 Safety p 6

\$0

\$0 to \$474,329

\$0 to \$632,439

\$0 to \$632,439

Loss - Riverside
 §94.902 - 1%
 collection fee kept
 by DOR p 6

\$0

(\$0 to \$4,743)

(\$0 to \$6,324)

(\$0 to \$6,324)

| <u>FISCAL IMPACT -</u> <u>Local Government</u> (continued) | FY 2020 (10 Mo.) | FY 2021 | FY 2022 | Fully Implemented (FY 2029) |
|---|---------------------------------------|--|--|--|
| LOCAL POLITICAL SUBDIVISIONS (continued) | | | | |
| <u>Cost - Locals</u> §190.092 - AED maintenance and upkeep p 7 | \$0 or (Unknown) | \$0 or (Unknown) | \$0 or (Unknown) | \$0 or (Unknown) |
| <u>Revenue - School Districts</u> §195.805 - administrative penalty income p 13 | \$0 or Unknown | \$0 or Unknown | \$0 or Unknown | \$0 or Unknown |
| <u>Additional Revenue</u> - §321.242 FPD - flexibility in increasing sales tax p 13 | \$0 to Unknown | \$0 to Unknown | \$0 to Unknown | \$0 to Unknown |
| <u>Revenue -</u> (§569.086) - fine revenue from violations p. 21 | \$0 or Unknown | \$0 or Unknown | \$0 or Unknown | \$0 or Unknown |
| ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS | <u>Unknown to</u> <u>(Unknown)</u> | <u>Unknown</u> <u>greater than</u> <u>\$469,586 to</u> <u>(Unknown)</u> | <u>Unknown</u> <u>greater than</u> <u>\$646,115 to</u> <u>(Unknown)</u> | <u>Unknown</u> <u>greater than</u> <u>\$646,115 to</u> <u>(Unknown)</u> |

FISCAL IMPACT - Small Business

Small businesses may be impacted by this proposal.

FISCAL DESCRIPTION

This proposal modifies various provisions relating to public safety.

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

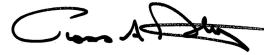
SOURCES OF INFORMATION

Andrew County Health Department
Bollinger County Health Center
Columbia/Boone County Department of Public Health and Human Services
City of Kansas City
City of Sugar Creek
Department of Conservation
Department of Corrections
Department of Health and Senior Services
Department of Mental Health
Department of Natural Resources
Department of Public Safety
 Director's Office
 Capitol Police
 Division of Fire Safety
 Missouri Highway Patrol
 State Emergency Management Agency
Department of Revenue
Department of Social Services
Joplin Police Department
Metro St. Louis Sewer District
Missouri House of Representatives
Missouri Office of Prosecution Services
Missouri Senate
Monroe County Assessor
Office of Administration
 Division of Budget and Planning
 Commissioners Office
 Division of Facilities Management, Design and Construction
Office of the Attorney General
Office of the Governor
Office of the State Courts Administrator

SOURCES OF INFORMATION (continued)

Office of the State Public Defenders
Osage County
State Technical College of Missouri
St. Charles County
St. Francois County Assessor Office
Springfield Police Department
St. Louis County
St. Louis County Police Department
St. Louis County Department of Justice Services
University of Missouri Healthcare System
Wellsville-Middletown R-I School District

Kyle Rieman
Director
May 7, 2019



Ross Strope
Assistant Director
May 7, 2019