

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0213S.02I  
 Bill No.: SB 66  
 Subject: Counties; County Government; Crimes and Punishment; Motor Vehicles; Law Enforcement Officers and Agencies; Liability; Political Subdivisions  
 Type: Original  
 Date: January 22, 2021

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

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>				
FUND AFFECTED	FY 2022	FY 2023	FY 2024	Fully Implemented (FY 2031)
General Revenue*	(\$745,060)	(\$1,756,763)	(\$2,756,433)	(\$7,603,649)
<b>Total Estimated Net Effect on General Revenue</b>	<b>(\$745,060)</b>	<b>(\$1,756,763)</b>	<b>(\$2,756,433)</b>	<b>(\$7,603,649)</b>

\*DOC anticipates there could be up to an additional 949 offenders in prison (and 829 fewer offenders on field supervision) within 10 years (increase in incarceration costs and reduction in Probation and Parole FTE costs). Due to the relatively long sentences for the class A and class B felonies included in this analysis, the entire estimated impact goes beyond the 10-year timeframe of this fiscal note.

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>				
FUND AFFECTED	FY 2022	FY 2023	FY 2024	Fully Implemented (FY 2031)
<b>Total Estimated Net Effect on Other State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: () indicate costs or losses.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>				
FUND AFFECTED	FY 2022	FY 2023	FY 2024	Fully Implemented (FY 2031)
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>				
FUND AFFECTED	FY 2022	FY 2023	FY 2024	Fully Implemented (FY 2031)
General Revenue*	(1) FTE	(3) FTE	(6) FTE	(16) FTE
<b>Total Estimated Net Effect on FTE</b>	<b>(1) FTE</b>	<b>(3) FTE</b>	<b>(6) FTE</b>	<b>(16) FTE</b>

\*A reduction in the number of Probation and Parole officers with the Department of Corrections as a result of the increased prison sentence terms.

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>				
FUND AFFECTED	FY 2022	FY 2023	FY 2024	Fully Implemented (FY 2031)
<b>Local Government</b>	<b>\$0 to Unknown</b>	<b>\$0 to Unknown</b>	<b>\$0 to Unknown</b>	<b>\$0 to Unknown</b>

## FISCAL ANALYSIS

### ASSUMPTION

#### §67.030 – Local law enforcement budgets

Officials from the **City of Kansas City** state there could be a negative fiscal impact to Kansas City as a result of §67.030 in this legislation if Kansas City were to reduce its police budget.

Officials from the **City of Corder** state this legislation would disproportionately affect small communities such as theirs. The City of Corder's entire police budget is \$21,000. It is entirely possible that in the future, the City of Corder would need to decrease that budget by \$2,700, which is 13%. Small communities handle policing different than larger communities with full-time police forces. Without any provision for small communities, this could have dire consequences on the city's ability to receive state funds.

**Oversight** assumes rarely will political subdivision decrease their budget for law enforcement by an amount exceeding 12 percent in relation to other items in the proposed budget. Therefore, Oversight will reflect a zero impact in the fiscal note for local governments due to this section of the proposal.

#### §537.570 – Liability for motor vehicle drivers during a protest

Officials from the **Office of Administration – General Services (OA/GS)** state this provision provides that any person operating a motor vehicle who injures another person while operating the motor vehicle shall not be liable if that person was blocking the right away during a protest or demonstration. However, this provision does not apply if the operator of the motor vehicle committed gross negligence. This provision has the potential to avoid costs to the state Legal Expense Fund for actions alleging negligence against a state employee under 537.600, unless the allegation is for gross negligence.

#### §537.600 – Sovereign immunity

Officials from the **OA/GS** state this section creates an additional waiver of sovereign immunity for injuries directly resulting from grossly negligent acts or omissions by a public entity in protecting a person or property from an unlawful assembly pursuant to section 574.040. This additional waiver of sovereign immunity could increase costs to the Legal Expense Fund, if such an action were successfully brought.

The state self-assumes its own liability under the state Legal Expense Fund, Section 105.711, RSMo. It is a self-funding mechanism whereby funds are made available for the payment of any claim or judgment rendered against the state in regard to the waivers of sovereign immunity or against employees and specified and individuals. Investigation, defense, negotiation or

settlement of such claims is provided by the Office of the Attorney General. Payment is made by the Commissioner of Administration with the approval of the Attorney General.

If a claim were successfully brought against a state agency alleging a violation of this legislation, the Legal Expense Fund could be required to pay such claim or claims. The number of potential claims, the severity of those claims, and the ultimate costs associated with any settlement or judgment resulting from those claims cannot be forecasted with any degree of assurance to their accuracy.

The OA/GS assumes that no state employee or agency would violate the proposal. Therefore, it is assumed that no successful claims will be made against the Legal Expense Fund and the proposal would thus have no fiscal impact upon the OA/GS. However, should this assumption prove incorrect, significant costs could be incurred by the Legal Expense Fund.

**Oversight** does not have any information contrary to that provided by OA/GS. Therefore, Oversight will reflect OA/GS's zero impact for fiscal note purposes.

§§544.671, 565.050, 565.052, and 565.054 – Crimes against EMS providers

Officials from the **Department of Corrections (DOC)** state this bill prohibits eligibility for probation or parole in case of assaults, if the victim was a law enforcement officer, firefighter, or emergency medical service provider assaulted in the performance of his or her official duties or as a direct result of such official duties. The bill pertains to assaults 1st, 2nd, and 3rd degree and prohibits probation and parole for an offender if the victim is a law enforcement officer, firefighter, or emergency medical service provider. These assaults fall under class A, B, and D felonies depending upon whether it is 1st, 2nd, or 3rd degree assault and who the victim of assault was. No parole means that an offender is required to serve to the conditional release unless other sentencing restrictions make the sentence ineligible for conditional release. Current statutes allow probation and 120-day court stipulated sentences for all the offenses. The bill mandates no probation or parole for 1st, 2nd, and 3rd degree assault against law enforcement officers, fire fighters, and emergency service providers. Law enforcement officers and emergency providers are special victims (565.002 RSMo) with an enhanced felony class. Assault 1st degree and Assault 2nd degree, if the victim is a special victim, are dangerous felonies in which the offenders would serve 100% of the sentence because they are excluded from the provisions of conditional release. Offenders convicted of assault 3rd degree will serve to conditional release (two-thirds of sentence).

To assess the potential impact of changes proposed in this bill, DOC analyzed FY 2020 new prison admissions, new probation cases, and time served to first release for offenders with sentences for assaults on special victims.

In FY 2020, there were 72 new court commitments (including 120-day admissions) to prison with an average sentence of 17.0 years for first degree assault on a special victim. There were 29 new court commitments to prison with an average sentence of 8.2 years for second degree assault

on a special victim. There were 45 new court commitments to prison with an average sentence of 4.8 years for third degree assault on a special victim.

**FY 2020 New court commitments (including 120-day admissions) to prison based on assaults on special victims.**

MISSOURI STATUTE	DESCRIPTION	OFFENSE CLASS	OFFENDERS	AVERAGE SENTENCE
565050	Assault 1 <sup>st</sup> Degree	A	72	17.0
565052	Assault 2 <sup>nd</sup> Degree	B	29	8.2
565054	Assault 3 <sup>rd</sup> Degree	D	45	4.8

In FY 2020, there were 23 new probation cases with an average sentence of 10.9 years for first degree assault on a special victim. There were 19 new probation cases with an average sentence of 6.9 years for second degree assault on a special victim. There were 71 new probation cases with an average sentence of 5.2 years for third degree assault on a special victim. Under the proposed legislation, all of these offenders would be sentenced to prison instead of probation.

**FY 2020 New probation cases based on assaults on special victims.**

MISSOURI STATUTE	DESCRIPTION	OFFENSE CLASS	OFFENDERS	AVERAGE SENTENCE
565050	Assault 1 <sup>st</sup> Degree	A	23	10.9
565052	Assault 2 <sup>nd</sup> Degree	B	19	6.9
565054	Assault 3 <sup>rd</sup> Degree	D	71	5.2

In FY 2020, 96 offenders in prison on sentences for first degree assault on a special victim were released from prison after serving, on average, 14.9 years, or approximately 90% of the length of the sentence. There were 18 offenders in prison for a second degree assault on a special victim who were first released from prison after serving, on average, 4.1 years, or approximately 50% of the length of the sentence. There were 22 offenders in prison for third degree assault on a special victim who were first released from prison after serving, on average, 1.2 years, or approximately 30% of the length of the sentence.

**FY 2020 Offenders released from prison after serving time for convictions of assaults on special victims.**

<b>MISSOURI STATUTE</b>	<b>DESCRIPTION</b>	<b>OFFENSE CLASS</b>	<b>OFFENDERS</b>	<b>AVERAGE SENTENCE</b>	<b>TIME SERVED TO FIRST RELEASE</b>	<b>PERCENT SENTENCE SERVED TO FIRST RELEASE</b>
565050, 565081	Assault 1 <sup>st</sup> Degree	A	96	17.5	14.9	90%
565052, 565082	Assault 2 <sup>nd</sup> Degree	B	18	8.4	4.1	50%
565054	Assault 3 <sup>rd</sup> Degree	D	22	4.7	1.2	30%

To estimate the potential impact of this bill, the DOC assumes all offenders with class A and class B felony offenses will serve 100% of their sentence in prison and offenders with class D felony offenses will serve 66% of their sentence in prison before first release.

Section 565.050 prohibits eligibility for probation or parole for first degree assault on special victim.

**Class A Felony Assaults in 1st Degree on Special Victims (Law Enforcement, emergency workers etc.)**

	<b>FY2022</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>	<b>FY2028</b>	<b>FY2029</b>	<b>FY2030</b>	<b>FY2031</b>
<b>New Admissions</b>										
Current Law	72	72	72	72	72	72	72	72	72	72
After Legislation	95	95	95	95	95	95	95	95	95	95
<b>Probation</b>										
Current Law	23	23	23	23	23	23	23	23	23	23
After Legislation	0	0	0	0	0	0	0	0	0	0
<b>Change (After Legislation - Current Law)</b>										
Admissions	23	23	23	23	23	23	23	23	23	23
Probations	-23	-23	-23	-23	-23	-23	-23	-23	-23	-23
<b>Cumulative Populations</b>										
Prison	23	46	69	92	115	138	161	184	207	230
Parole										
Probation	-23	-46	-69	-92	-115	-138	-161	-184	-207	-230
<b>Impact</b>										
Prison Population	23	46	69	92	115	138	161	184	207	230
Field Population	-23	-46	-69	-92	-115	-138	-161	-184	-207	-230
<b>Population Change</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Section 565.054 prohibits eligibility for probation or parole for third degree assault on special victim.

**Class D Felony Assaults in 2nd Degree on Special Victims (Law enforcement, emergency workers etc.)**

	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031
<b>New Admissions</b>										
Current Law	45	45	45	45	45	45	45	45	45	45
After Legislation	116	116	116	116	116	116	116	116	116	116
<b>Probation</b>										
Current Law	71	71	71	71	71	71	71	71	71	71
After Legislation	0	0	0	0	0	0	0	0	0	0
<b>Change (After Legislation - Current Law)</b>										
Admissions	71	71	71	71	71	71	71	71	71	71
Probations	-71	-71	-71	-71	-71	-71	-71	-71	-71	-71
<b>Cumulative Populations</b>										
Prison	71	142	236	352	444	444	444	444	444	444
Parole			-23	-68	-104	-104	-104	-104	-104	-104
Probation	-71	-142	-213	-284	-355	-369	-369	-369	-369	-369
<b>Impact</b>										
Prison Population	71	142	236	352	444	444	444	444	444	444
Field Population	-71	-142	-236	-352	-459	-473	-473	-473	-473	-473
<b>Population Change</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-14</b>	<b>-28</b>	<b>-28</b>	<b>-28</b>	<b>-28</b>	<b>-28</b>

§574.045 – Unlawful traffic interference

Officials from the DOC state §574.055 creates a new class E felony. For each new nonviolent class E felony, the Department estimates one person will be sentenced to prison and two to probation. The average sentence for a nonviolent class E felony offense is 3.4 years of which, 2.1 years will be served in prison with 1.4 years to first release. The remaining 1.3 years will be on parole. Probation sentences will be 3 years.

**Change in prison admissions and probation openings with legislation-Class E Felony (nonviolent)**

	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031
<b>New Admissions</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	1	1	1	1	1	1	1	1	1	1
<b>Probation</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	2	2	2	2	2	2	2	2	2	2
<b>Change (After Legislation - Current Law)</b>										
Admissions	1	1	1	1	1	1	1	1	1	1
Probations	2	2	2	2	2	2	2	2	2	2
<b>Cumulative Populations</b>										
Prison	1	2	2	2	2	2	2	2	2	2
Parole			1	1	1	1	1	1	1	1
Probation	2	4	6	6	6	6	6	6	6	6
<b>Impact</b>										
Prison Population	1	2	2	2	2	2	2	2	2	2
Field Population	2	4	7	7	7	7	7	7	7	7
<b>Population Change</b>	<b>3</b>	<b>6</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>

**Oversight** notes the provisions of §574.045 provide for fines for the offense of unlawful traffic interference on any public street, highway, or an interstate highway. This fine may not exceed \$750 for the first violation. If the unlawful traffic interference occurred while part of an unlawful assembly, the fine may not exceed \$1,000 for the first violation. Oversight notes that violations resulting in fines could vary widely from year to year. Civil penalties collected per Article IX, Section 7 of the Missouri Constitution requires fines to be distributed to the school district where the violation occurred; therefore, Oversight will reflect a positive fiscal impact of \$0 to Unknown to local school districts on the fiscal note.

§574.055 – Conspiring to riot

Officials from the **DOC** state §574.085 creates a new class B felony. For each new class B felony, the department estimates three people will be sentenced to prison and four to probation. The average sentence for a class B felony offense is 8.7 years, of which 5.1 years will be served in prison with 3.4 years to first release. The remaining 3.6 years will be on parole. Probation sentences will be 3 years.

**Change in prison admissions and probation openings with legislation-Class E Felony (nonviolent)**

	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031
<b>New Admissions</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	1	1	1	1	1	1	1	1	1	1
<b>Probation</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	2	2	2	2	2	2	2	2	2	2
<b>Change (After Legislation - Current Law)</b>										
Admissions	1	1	1	1	1	1	1	1	1	1
Probations	2	2	2	2	2	2	2	2	2	2
<b>Cumulative Populations</b>										
Prison	1	2	2	2	2	2	2	2	2	2
Parole			1	1	1	1	1	1	1	1
Probation	2	4	6	6	6	6	6	6	6	6
<b>Impact</b>										
Prison Population	1	2	2	2	2	2	2	2	2	2
Field Population	2	4	7	7	7	7	7	7	7	7
<b>Population Change</b>	<b>3</b>	<b>6</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>

For the purpose of the proposed legislation, and as a result of excessive caseloads, the **Missouri State Public Defender (SPD)** cannot assume existing staff will be able to provide competent, effective representation for any new cases where indigent persons are charged with the proposed new crime(s) of conspiracy concerning assemblies as a class E felony under §574.055 RSMo. The Missouri State Public Defender System is currently providing legal representation in caseloads in excess of recognized standards. While the number of new cases may be too few or uncertain to request additional funding for this specific bill, the Missouri State Public Defender will continue to request sufficient appropriations to provide competent and effective representation in all cases where the right to counsel attaches.



**Oversight** assumes the SPD will be able to perform any additional duties required by this proposal with current staff and resources and will reflect no fiscal impact to the SPD for fiscal note purposes.

§574.085 – Vandalism

Officials from the **DOC** state this section creates a new class B felony. For each new class B felony, the department estimates three people will be sentenced to prison and four to probation. The average sentence for a class B felony offense is 8.7 years, of which 5.1 years will be served in prison with 3.4 years to first release. The remaining 3.6 years will be on parole. Probation sentences will be 3 years.

**Change in prison admissions and probation openings with legislation**

	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031
<b>New Admissions</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	3	3	3	3	3	3	3	3	3	3
<b>Probation</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	4	4	4	4	4	4	4	4	4	4
<b>Change (After Legislation - Current Law)</b>										
Admissions	3	3	3	3	3	3	3	3	3	3
Probations	4	4	4	4	4	4	4	4	4	4
<b>Cumulative Populations</b>										
Prison	3	6	9	12	15	15	15	15	15	15
Parole						3	6	9	11	11
Probation	4	8	12	12	12	12	12	12	12	12
<b>Impact</b>										
Prison Population	3	6	9	12	15	15	15	15	15	15
Field Population	4	8	12	12	12	15	18	21	23	23
<b>Population Change</b>	<b>7</b>	<b>14</b>	<b>21</b>	<b>24</b>	<b>27</b>	<b>30</b>	<b>33</b>	<b>36</b>	<b>38</b>	<b>38</b>

Combined Estimated Cumulative Impact

Due to the relatively long sentences for the class A and class B felonies included in this analysis, the entire estimated impact goes beyond the 10-year timeframe of this response.

Within 10 years, DOC estimates that if the proposed legislation were to pass, there could be up to an additional 949 offenders in prison and 829 fewer offenders on field supervision.

## Change in prison admissions and probation openings with legislation

	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031
<b>New Admissions</b>										
Current Law	146	146	146	146	146	146	146	146	146	146
After Legislation	270	270	270	270	270	270	270	270	270	270
<b>Probation</b>										
Current Law	113	113	113	113	113	113	113	113	113	113
After Legislation	17	17	17	17	17	17	17	17	17	17
<b>Change (After Legislation - Current Law)</b>										
Admissions	124	121	121	121	121	121	121	121	121	121
Probations	-96	-100	-100	-100	-100	-100	-100	-100	-100	-100
<b>Cumulative Populations</b>										
Prison	124	248	393	557	695	751	822	893	926	949
Parole	0	0	-21	-61	-90	-98	-121	-147	-150	-150
Probation	-96	-192	-288	-401	-514	-570	-610	-633	-656	-679
<b>Impact</b>										
Prison Population	124	248	393	557	695	751	822	893	926	949
Field Population	-96	-192	-309	-463	-605	-668	-730	-779	-806	-829
<b>Population Change</b>	<b>28</b>	<b>56</b>	<b>84</b>	<b>95</b>	<b>91</b>	<b>83</b>	<b>92</b>	<b>114</b>	<b>120</b>	<b>120</b>

	# to prison	Cost per year	Total Costs for <b>prison</b>	Change in probation & parole officers	Total savings for <b>probation &amp; parole</b>	# to probation & parole	Grand Total - Prison and Probation (includes 2% inflation)
Year 1	124	(\$7,756)	(\$801,453)	(1)	\$56,393	(96)	(\$745,060)
Year 2	248	(\$7,756)	(\$1,961,958)	(3)	\$205,195	(192)	(\$1,756,763)
Year 3	393	(\$7,756)	(\$3,171,252)	(6)	\$414,819	(309)	(\$2,756,433)
Year 4	557	(\$7,756)	(\$4,584,764)	(9)	\$628,939	(463)	(\$3,955,578)
Year 5	695	(\$7,756)	(\$5,834,764)	(11)	\$777,002	(605)	(\$5,507,761)
Year 6	751	(\$7,756)	(\$6,431,001)	(13)	\$928,200	(668)	(\$5,502,801)
Year 7	822	(\$7,756)	(\$7,179,772)	(14)	\$1,010,435	(730)	(\$6,169,337)
Year 8	893	(\$7,756)	(\$7,955,921)	(15)	\$1,094,332	(779)	(\$6,861,589)
Year 9	925	(\$7,756)	(\$8,405,836)	(15)	\$1,106,214	(806)	(\$7,299,622)
Year 10	949	(\$7,756)	(\$8,796,412)	(16)	\$1,192,763	(829)	(\$7,603,649)

If this impact statement has changed from statements submitted in previous years, it is because the Department of Corrections (DOC) has changed the way probation and parole daily costs are calculated to more accurately reflect the way the Division of Probation and Parole is staffed across the entire state.

In December 2019, the DOC reevaluated the calculation used for computing the Probation and Parole average daily cost of supervision and revised the cost calculation to be the DOC average district caseload across the state which is 51 offender cases per officer. The new calculation assumes that an increase/decrease of 51 cases would result in a change in costs/cost avoidance equal to the cost of one FTE staff person. Increases/decreases smaller than 51 offenders are assumed to be absorbable.

In instances where the proposed legislation would only affect a specific caseload, such as sex offenders, the DOC will use the average caseload figure for that specific type of offender to calculate cost increases/decreases. For instances where the proposed legislation affects a less specific caseload, DOC projects the impact based on prior year(s) actual data for DOC's 48 probation and parole districts.

The DOC cost of incarceration is \$21.251 per day or an annual cost of \$7,756 per offender. The DOC cost of probation or parole is determined by the number of P&P Officer II positions that would be needed to cover the new caseload.

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

#### Bill as a Whole

Officials from the **Missouri Office of Prosecution Services (MOPS)** assume the proposal will have no measurable fiscal impact on MOPS. The enactment of new crimes (574.045.3 and .4, 574.055.2) creates additional responsibilities for county prosecutors and the circuit attorney which may in turn result in additional costs which are difficult to determine.

Officials from the **Attorney General's Office**, the **Department of Public Safety – (Capitol Police, Fire Safety, and Missouri Highway Patrol)**, the **Department of Labor and Industrial Relations**, the **Missouri Department of Transportation**, the **Office of the State Courts Administrator**, the **City of Ballwin**, the **City of O'Fallon**, the **City of Springfield**, the **Crestwood Police Department**, the **Ellisville Police Department**, the **Kansas City Police Department**, the **Springfield Police Department**, the **St. Louis County Police Department**, the **Boone County Sheriff's Department**, the **Rolla Rural Fire Protection District**, the **Crawford County 911 Board, Ambulance and EMS**, and the **Nodaway County Ambulance District, Ambulance and EMS** each assume the proposal will have no fiscal impact on their respective organizations.

Officials from **the City of Hale**, the **St. Clair Fire Protection District**, and the **Wentzville Fire Protection District** responded to the legislation but did not provide a fiscal impact.

**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 that we have received from state agencies and political subdivisions; however, other cities, counties, Ambulance and EMS, fire departments, and police and sheriff's departments were requested to respond to this proposed legislation but did not. A general listing of political subdivisions included in our database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024	Fully Implemented (FY 2031)
<b>GENERAL REVENUE FUND</b>				
<u>Savings – DOC</u> (§§565.050, 565.052, 565.054, 574.045, 574.050, 574.055, 574.085) fewer P&P officers				
Personal service	\$32,294	\$117,420	\$237,192	\$678,128
Fringe benefits	\$21,206	\$77,104	\$155,751	\$445,293
Expense and Equipment	\$2,893	\$10,671	\$21,876	\$69,342
<b>Total Savings - DOC</b>	<b>\$56,393</b>	<b>\$205,195</b>	<b>\$414,819</b>	<b>\$1,192,763</b>
FTE Change - DOC	(1) FTE	(3) FTE	(6) FTE	(16) FTE
<u>Costs – DOC</u> Increased incarceration costs	(\$801,453)	(\$1,961,958)	(\$3,171,252)	(\$8,796,412)
<b>ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND</b>	<b>(\$745,060)</b>	<b>(\$1,756,763)</b>	<b>(\$2,756,433)</b>	<b>(\$7,603,649)</b>
Estimated Net FTE Change for the General Revenue Fund	(1) FTE	(3) FTE	(6) FTE	(16) FTE

<u>FISCAL IMPACT – Local Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024	Fully Implemented (FY 2031)
<b>LOCAL POLITICAL SUBDIVISIONS</b>				
<u>Revenue – School districts (\$574.045) Fines from violations</u>	<u>\$0 to Unknown</u>	<u>\$0 to Unknown</u>	<u>\$0 to Unknown</u>	<u>\$0 to Unknown</u>
<b>ESTIMATED NET EFFECT TO LOCAL POLITICAL SUBDIVISIONS</b>	<b><u>\$0 to Unknown</u></b>	<b><u>\$0 to Unknown</u></b>	<b><u>\$0 to Unknown</u></b>	<b><u>\$0 to Unknown</u></b>

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

CRIMES AGAINST EMS PROVIDERS (Section 544.671, 565.050, 565.052, & 565.054)

This act provides that anyone convicted of second or third degree assault, unlawful traffic interference, rioting, conspiring with others to cause a riot, or institutional vandalism, where the victim was a law enforcement officer, firefighter, or emergency medical provider who was assaulted during the performance of his or her official duties or as a direct result of such official duties, shall be ineligible for bail or continuation of bail.

Additionally, anyone found guilty of first, second, or third degree assault is ineligible for probation or parole if the victim was a law enforcement officer, firefighter, or emergency medical provider who was assaulted during the performance of his or her official duties or as a direct result of such official duties.

UNLAWFUL TRAFFIC INTERFERENCE (Section 574.045)

This act creates the offense of unlawful traffic interference if, with the intention to impede vehicular traffic, the person walks, stands, sits, kneels, lays, or places an object in a manner that blocks passage by a vehicle on any public street, highway, or interstate highway. This offense is a Class E felony.

Additionally, this offense is a Class D felony if a person blocks a public street, highway, or interstate highway as part of an unlawful assembly.

#### CONSPIRING TO RIOT (Section 574.055)

This act creates the offense of conspiring with others to cause or produce a riot or unlawful assembly. A person commits such offense if he or she knowingly provides payment or other financial incentive to six or more persons to violate the Missouri laws against rioting or unlawful assembly. This offense shall be a Class E felony.

#### VANDALISM (Section 574.085)

Under current law, a person commits the offense of institutional vandalism if he or she knowingly vandalizes certain structures. This act provides that a person shall be guilty of a Class B felony if he or she knowing vandalizes any public monument or structure on public property.

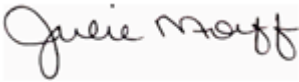
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

#### SOURCES OF INFORMATION

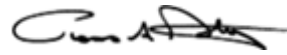
Attorney General's Office  
Department of Corrections  
Department of Labor and Industrial Relations  
Department of Public Safety  
Missouri Department of Transportation  
Missouri Office of Prosecution Services  
Office of Administration  
Office of the State Courts Administrator  
Office of the State Public Defender  
City of Kansas City  
City of Ballwin  
City of Corder  
City of Hale  
City of O'Fallon  
City of Springfield  
Crestwood Police Department  
Ellisville Police Department  
Kansas City Police Department  
Springfield Police Department  
St. Louis County Police Department  
Boone County Sheriff's Department  
Rolla Rural Fire Protection District

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Crawford County 911 Board, Ambulance, and EMS  
Nodaway County Ambulance District, Ambulance and EMS  
St. Clair Fire Protection District  
Wentzville Fire Protection District



Julie Morff  
Director  
January 22, 2021



Ross Strobe  
Assistant Director  
January 22, 2021