

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3333S.01I
Bill No.: SB 913
Subject: Boats and Watercraft; Children and Minors; Lakes, Rivers, and Waterways; Public Safety, Department of; Transportation; Water Patrol
Type: Original
Date: January 10, 2022

Bill Summary: This proposal expands the requirement for children to wear personal flotation devices.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Various State Funds	Less than \$250,000	Less than \$250,000	Less than \$250,000
Total Estimated Net Effect on <u>Other</u> State Funds	Less than \$250,000	Less than \$250,000	Less than \$250,000

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Total Estimated Net Effect on FTE	0	0	0

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

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Local Government	Less than \$250,000	Less than \$250,000	Less than \$250,000

FISCAL ANALYSIS

ASSUMPTION

§306.220 – Personal flotation devices

Officials from the **Department of Public Safety - Missouri Highway Patrol**, the **Missouri Office of Prosecution Services**, the **Office of the State Courts Administrator**, and the **Office of the State Public Defender** assume the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note.

Oversight contacted the Missouri State Highway Patrol (MHP) to determine the number of tickets issued in the last two years and fines and costs for violations. The MHP states 24 tickets and 50 warnings were issued in 2020 and 22 tickets and 44 warnings were issued in 2021 under charge code 306.220. According to the Statewide Fine Schedule, <https://www.courts.mo.gov/page.jsp?id=310>, the fine for this violation is \$20.50. Additional individual county fees range from \$2 to \$24 and/or additional court costs of \$44.50. The fine revenue for the ticket goes to local school funds and courts costs go to various state and local funds. Oversight assumes the amount of fine revenue will increase because the age which children required to wear a personal flotation devices increases from age 7 to 12. However, it is hard to estimate the impact based on the existing age limit. Therefore, the impact to local governments will be presented as less than \$250,000 of additional fine/court costs revenue.

Below are examples of some of the state and local funds which court costs are distributed:

Fee/Fund Name	Fee Amount
Basic Civil Legal Services Fund	\$8.00
Clerk Fee	\$15.00 (\$12 State/\$3 County)
County Fee	\$25.00
State Court Automation Fund	\$7.00
Crime Victims' Compensation Fund	\$7.50
DNA Profiling Analysis Fund	\$15.00
Peace Officer Standards and Training (POST) Fund	\$1.00
Sheriff's Retirement Fund	\$3.00
Motorcycle Safety Trust Fund	\$1.00
Brain Injury Fund	\$2.00
Independent Living Center Fund	\$1.00
Sheriff's Fee	\$10.00 (County)
Prosecuting Attorney and Circuit Attorney Training Fund	\$4.00
Prosecuting Attorney Training Fund	\$1.00 (\$0.50 State/\$0.50 County)
Spinal Cord Injury Fund	\$2.00

The following link provides information on life jacket requirements in all 50 states: <https://www.lifejacketadvisor.com/child-life-jacket-requirements-state-laws/>. Of the eight states that border Missouri, seven states require children 12 and younger and one state requires children 11 and younger, to wear an approved life jacket while onboard or being towed behind a vessel.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other counties 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 2023 (10 Mo.)	FY 2024	FY 2025
VARIOUS STATE FUNDS			
Revenue - (\$306.220) Court fees to various state funds	<u>Less than</u> <u>\$250,000</u>	<u>Less than</u> <u>\$250,000</u>	<u>Less than</u> <u>\$250,000</u>
ESTIMATED NET EFFECT ON VARIOUS STATE FUNDS	<u>Less than</u> <u>\$250,000</u>	<u>Less than</u> <u>\$250,000</u>	<u>Less than</u> <u>\$250,000</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2023 (10 Mo.)	FY 2024	FY 2025
LOCAL POLITICAL SUBDIVISIONS			
<u>Revenue</u> - Court fees to various political subdivisions	Less than \$250,000	Less than \$250,000	Less than \$250,000
<u>Revenue</u> - Schools (§306.220) Fine revenue and court costs to schools	<u>Less than</u> <u>\$250,000</u>	<u>Less than</u> <u>\$250,000</u>	<u>Less than</u> <u>\$250,000</u>
ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	<u>Less than</u> <u>\$250,000</u>	<u>Less than</u> <u>\$250,000</u>	<u>Less than</u> <u>\$250,000</u>

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

Currently, children under the age of seven years old are required to wear a personal flotation device when on board any watercraft on the waters of Missouri. This act names the provision "Hannah's Law" and raises the age until which a child is required to wear a personal flotation device to twelve. This act also requires a child who is wading or swimming in navigable public waters more than three feet in depth to wear a personal flotation device. This act exempts children from the personal flotation device requirement if supervised by a lifeguard.

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

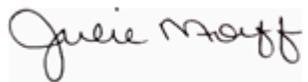
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A handwritten signature in cursive script that reads "Julie Morff".

Julie Morff

Director

January 10, 2022

A handwritten signature in cursive script that reads "Ross Strobe".

Ross Strobe

Assistant Director

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