

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3795S.01I
Bill No.: SB 752
Subject: Firearms; Crimes and Punishment; Political Subdivisions
Type: Original
Date: January 23, 2022

Bill Summary: This proposal modifies and removes provisions relating to concealed firearms.

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
College and University Funds*	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
Total Estimated Net Effect on <u>Other</u> State Funds	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

***Oversight** assumes some policy creating and/or training is conducted regardless of this bill and this change could be incorporated into that annual review process. Therefore, Oversight assumes the fiscal impact would not exceed the \$250,000 threshold.

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	\$0 or Unknown to (Unknown)	\$0 or Unknown to (Unknown)	\$0 or Unknown to (Unknown)

FISCAL ANALYSIS

ASSUMPTION

§§571.030, 571.107, 571.108, 571.109, 571.215, 577.703, and 577.712 – Concealed firearms

Officials from the **Department of Elementary and Secondary Education**, the **Department of Higher Education and Workforce Development**, the **Department of Corrections**, the **Department of Revenue**, the **Department of Public Safety - Missouri Highway Patrol**, the **Missouri Department of Transportation**, the **Missouri House of Representatives**, the **Missouri Office of Prosecution Services**, the **Missouri Senate**, the **Office of the State Courts Administrator**, the **Office of the State Public Defender**, the **City of Kansas City**, the **City of Springfield**, the **Phelps County Sheriff's Department**, the **Kansas City Police Department**, the **St. Louis County Police Department**, and the **Hermann Area Hospital District** assume the proposal will have no 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.

Officials from the **University of Central Missouri** state this will have a minimal impact.

Officials from the **Missouri State University** state this bill will have a negative fiscal impact of an undetermined amount.

In response to similar legislation from 2021 (SB 117), officials from the **University of Missouri (MU)** stated this bill allowing guns on campus would require an additional investment in policing creating an annual impact of greater than \$100,000.

Oversight notes cost for the University of Missouri and Missouri State University; however, Oversight cannot estimate a statewide cost; therefore, the impact to colleges and universities and political subdivisions will be presented as \$0 to (Unknown).

Oversight notes that violations resulting in fines per §571.030.8(2) could vary widely from year to year. Civil penalties collected are 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.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other cities, counties, hospitals, school districts, colleges and universities, 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 Oversight's database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2023 (10 Mo.)	FY 2024	FY 2025
COLLEGE AND UNIVERSITY FUNDS			
<u>Cost</u> - College & University p. 3 (§§571.030, 571.107, 571.108, 571.109, 571.215, 577.703, and 577.712) Potential increase in operational costs	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
ESTIMATED NET EFFECT ON COLLEGE AND UNIVERSITY FUNDS	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

<u>FISCAL IMPACT – Local Government</u>	FY 2023 (10 Mo.)	FY 2024	FY 2025
POLITICAL SUBDIVISIONS			
<u>Revenue</u> – School districts (§571.030) Potential fine revenue p. 3	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
<u>Cost</u> - (§§571.030, 571.107, 571.108, 571.109, 571.215, 577.703, and 577.712) Potential increase in operational costs p. 3	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
ESTIMATED NET EFFECT ON POLITICAL SUBDIVISIONS	\$0 or Unknown to (Unknown)	\$0 or Unknown to (Unknown)	\$0 or Unknown to (Unknown)

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

This act modifies provisions relating to the possession of firearms.

UNLAWFUL USE OF CONCEALED WEAPONS (SECTION 571.030)

Under this act, a person commits the offense of unlawful use of a weapon if a person knowingly carries a concealed weapon into:

- Any public higher education institution without the consent of a member of the governing body of the institution, unless a person has a valid concealed carry permit;
- Any public elementary or secondary school facility without the consent of a member of the school board, unless the person is a designated school protection officer;
- Any school bus or on any premises of any school sponsored function, unless the weapon is possessed by an adult and is required in order to facilitate the school sanctioned firearm event;
- Any police, sheriff, or highway patrol station without the consent of the chief law enforcement officer of that station;
- Any jail, prison, or correctional institution;
- Any building that is solely occupied by a court, except certain certified law enforcement officers and any person who has a valid concealed carry permit and consent of the presiding judge;
- Any meeting, including committee meeting, of the General Assembly, unless the person carrying the firearm has a valid concealed carry permit;
- Any area of an airport that is controlled by a search of a person and their property;
- Anywhere carrying a firearm is prohibited by federal law;
- Any private property where the owner has posted certain signs stating the property is off-limits to concealed firearms; and
- Any arena or stadium with a seating capacity of five thousand or more that is managed or leased by a private entity.

This act repeals provisions prohibiting the possession of a concealed firearm in places of worship, any election precinct on any election day, and certain buildings owned or occupied by the state and federal government, or any political subdivision. This act also decriminalizes the offense of carrying a concealed weapon onto any private property without consent of the owner.

Finally, this act provides that the offense of unlawful use of a concealed weapon does not include the storage of a firearm in a vehicle, except where prohibited by federal law, so long as the firearm remains stored in the vehicle and is not at any time brandished.

CONCEALED CARRY PERMITS (SECTION 571.107)

This act repeals provisions that prohibit someone with a valid concealed carry permit from carrying a concealed weapon in the following locations:

- Any meeting of the governing body of a unit of local government or the General Assembly;
- Any polling place on any election day;
- Any establishment that serves intoxicating liquors;
- Any higher education institution;
- Any portion of a building that has a child care facility;
- Any riverboat gambling facility;
- Any gated amusement park;
- Any church or other place of religious worship;
- Any hospital accessible to the public; and
- Any public higher education institution building.

PUBLIC EMPLOYEES WITH CONCEALED CARRY PERMITS (SECTION 571.108 and 571.109)

This act prohibits the state or any county, municipality or other political subdivision from imposing any ordinance, rule, policy, contractual agreement, or employment agreement restricting an employee with a valid concealed carry permit from carrying a concealed weapon. Any public higher education institution may construct their own policies regarding concealed carry weapons on their campus, so long as such policies do not generally restrict the ability to carry a concealed weapon.

WEAPONS IN BUS TERMINALS (SECTIONS 577.703 & 577.712)

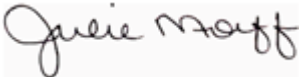
Finally, this act repeals the offense of possession and concealment of a dangerous or deadly weapon upon a bus and repeals provisions that made it unlawful for someone to possess a deadly or dangerous weapon in a bus terminal.

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

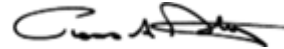
SOURCES OF INFORMATION

Department of Elementary and Secondary Education
Department of Higher Education and Workforce Development
Department of Corrections

Department of Revenue
Department of Public Safety
Missouri House of Representatives
Missouri Department of Transportation
Missouri Office of Prosecution Services
Office of the State Courts Administrator
Missouri Senate
Office of the State Public Defender
City of Kansas City
City of Springfield
Phelps County Sheriff's Department
Kansas City Police Department
St. Louis County Police Department
Hermann Area Hospital District
University of Central Missouri
Missouri State University



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January 23, 2022



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