

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4849-04
Bill No.: SCS for SBs 1332 and 1341
Subject: Law Enforcement Officers and Agencies; Firearms and Fireworks
Type: Original
Date: April 12, 2004

FISCAL SUMMARY

| ESTIMATED NET EFFECT ON GENERAL REVENUE FUND | | | |
|---|---------------------------------------|---------------------------------------|---------------------------------------|
| FUND AFFECTED | FY 2005 | FY 2006 | FY 2007 |
| General Revenue | \$0 or (Up to \$4,760,000) | \$0 or (Up to \$5,712,000) | \$0 or (Up to \$5,712,000) |
| | | | |
| Total Estimated Net Effect on General Revenue Fund | \$0 or (Up to \$4,760,000) | \$0 or (Up to \$5,712,000) | \$0 or (Up to \$5,712,000) |

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

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

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

| ESTIMATED NET EFFECT ON LOCAL FUNDS | | | |
|--|----------------|----------------|----------------|
| FUND AFFECTED | FY 2005 | FY 2006 | FY 2007 |
| Local Government | \$0 | \$0 | \$0 |

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the Attorney General** assume any potential costs associated with certifying sheriffs' costs that are not otherwise offset by the application fee can be absorbed.

Officials from the **Office of Administration – Division of Budget and Planning (BAP)** assume the proposed legislation should not result in additional costs or savings to their Division. However, BAP assumes there are potential costs to General Revenue:

If the court decides the County Sheriff Revolving Fund fees qualify as state funding and are constitutional user fees, the state could have to finance the costs for counties whose administrative costs are exceed the estimate-based local fees. These potential costs are \$0 to Unknown.

If the court decides the County Sheriff Revolving Fund fees do not qualify as state funding, the state will have to fully finance costs to implement the conceal and carry act through an appropriation from general revenue or risk that the act be held unconstitutional. Under this scenario, the estimated cost to the state for a full year is \$5,712,000 (84,000 applications per year x \$68 cost per application).

ASSUMPTION (continued)

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

| <u>FISCAL IMPACT - State Government</u> | FY 2005 (10 Mo.) | FY 2006 | FY 2007 |
|---|--|--|--|
| GENERAL REVENUE FUN D | | | |
| <u>Costs</u> – Office of Administration | | | |
| Reimbursement of sheriff expenses | \$0 or (Up to <u>\$4,760,000</u>) | \$0 or (Up to <u>\$5,712,000</u>) | \$0 or (Up to <u>\$5,712,000</u>) |
| ESTIMATED NET EFFECT ON GENERAL REVENUE FUND | <u>\$0 or (Up to \$4,760,000)</u> | <u>\$0 or (Up to \$5,712,000)</u> | <u>\$0 or (Up to \$5,712,000)</u> |

| <u>FISCAL IMPACT - Local Government</u> | FY 2005 (10 Mo.) | FY 2006 | FY 2007 |
|---|---------------------------------------|---------------------------------------|---------------------------------------|
| POLITICAL SUBDIVISIONS | | | |
| <u>Revenues</u> – County Sheriffs | | | |
| Reimbursement of expenses | \$0 or Up to \$4,760,000 | \$0 or Up to \$5,712,000 | \$0 or Up to \$5,712,000 |
| <u>Costs</u> – County Sheriffs | | | |
| Application processing | \$0 or (Up to <u>\$4,760,000</u>) | \$0 or (Up to <u>\$5,712,000</u>) | \$0 or (Up to <u>\$5,712,000</u>) |
| ESTIMATED NET EFFECT ON POLITICAL SUBDIVISIONS | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |

FISCAL IMPACT - Small Business

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

DESCRIPTION

The proposed legislation would authorize the sheriff of every county to pay costs and expenses reasonably related to the accepting and processing of concealed carry endorsements from the sheriff's revolving fund. The application and renewal fees would be based on the sheriff's estimate of the actual costs and expenses incurred. Currently, the application fee for concealed carry endorsements cannot exceed \$100. This proposal would eliminate this restriction. If the fee would exceed \$100, the sheriff would present specific and verified evidence of the actual cost and expense of processing the application to the Office of Administration upon certification by the Attorney General.

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

SOURCES OF INFORMATION

Office of the Attorney General
Office of Administration
– Division of Budget and Planning

NOT RESPONDING

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



Mickey Wilson, CPA
Director

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