

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1911-03
Bill No.: Perfected HCS for HB 851
Subject: Appropriations; Highway Patrol; Federal - State Relations; Roads and Highways;
 Law Enforcement Officers and Agencies
Type: Original
Date: March 27, 2007

Bill Summary: This proposal designates members of the Highway Patrol for training for enforcement of federal immigration laws. The proposal also instructs all law enforcement officers to inquire into the citizenship and immigration status of any person under arrest.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
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 2008	FY 2009	FY 2010
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on FTE	0	0	0

Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Local Government	(Unknown)	(Unknown)	(Unknown)

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** state their Training Division does not have any qualified instructors to teach federal immigration laws. MHP therefore assumes that the Academy will host the training and provide classroom space, as well as lodging and meals. The cost for this would be \$55 per day. The proposed legislation does not state how much training would be required and who would provide the training. It is therefore not possible to determine the actual fiscal impact. The MHP assumes an unknown cost to the Highway Fund as a result of this proposal.

In response to a similar proposal from 2006 (HCS for SCS for SB 1250), the MHP assumed no fiscal impact from the proposal. **Oversight** assumes the cost associated with training some of the MHP would be able to be absorbed within existing appropriations. Oversight also assumes there could be material costs to the MHP if the superintendent designates that all members of the MHP shall receive the training; however, Oversight will assume only a portion of MHP members would receive the training.

In response to a previous version of the proposal, officials from the **Office of the Governor** assumed no fiscal impact.

Officials from the **Department of Public Safety - Director's Office, Water Patrol, Capitol Police and Alcohol and Tobacco Control** each assume the proposal would not fiscally impact their respective agencies.

Officials from the **Boone County Sheriff's Office** state costs will be incurred at the hourly pay rate of each officer who identifies an illegal alien and then must perform additional duties related to that status. Considering the estimated numbers of illegal aliens this could be quite costly; however without prior history to compare it with, I have no figures to offer. Since there is no language indicating a funding mechanism for this additional task, the Boone County Sheriff's Office assume the cost would be borne by their agency.

Officials from the **Springfield Police Department** assume they would incur costs from staff time to inquire with Federal authorities on each case where citizenship is in question. Federal authorities are not equipped to give immediate response so extra time for detention is required. The estimated annual cost is \$30,000.

ASSUMPTION (continued)

Officials from the **Independence Police Department** assume this proposal would have a significant fiscal impact on local law enforcement regarding the detainment and housing of illegal aliens. Unless there is some commitment from Immigration and Naturalization, we may be in a situation where we must house these illegal aliens for several days resulting in significant costs to the agencies.

Officials from the **Buchanan County Sheriff's Office, Columbia Police Department, Greene County Sheriff's Office, Kansas City Police Department** and the **St. Louis Metropolitan Police Department** did not respond to our request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2008 (10 Mo.)	FY 2009	FY 2010
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2008 (10 Mo.)	FY 2009	FY 2010
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LOCAL LAW ENFORCEMENT AGENCIES

<u>Costs</u> - of questioning, detaining and housing of persons who's citizenship is in question	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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ESTIMATED NET EFFECT TO LOCAL LAW ENFORCEMENT AGENCIES	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

This proposal requires that the Superintendent of the State Highway Patrol designate some or all members of the patrol to be trained in accordance with a memorandum of understanding between Missouri and the United States Department of Homeland Security concerning the enforcement of federal immigration laws on federal highways and interstates in Missouri, subject to appropriation.

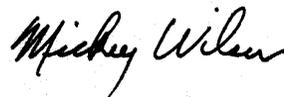
The proposal also requires all law enforcement officials to inquire into the citizenship and immigration status of any person under arrest for a violation of any state law or municipal ordinance, regardless of the person's national origin, ethnicity, or race. If the person indicates that he or she is not a citizen or national of the United States, the law enforcement officer shall inquire of the federal government, and then shall cooperate with any request by federal immigration authorities to detail the alien or transfer the alien to the custody of the federal government.

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 Public Safety
Office of the Governor
Boone County Sheriff's Department
Springfield Police Department
Independence Police Department

NOT RESPONDING: Buchanan County Sheriff's Office, Columbia Police Department, Greene County Sheriff's Office, Kansas City Police Department and the St. Louis Metropolitan Police Department



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Director
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