

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 5427-04  
Bill No.: HCS for SB 773  
Subject: Emergencies; Health Care Professionals  
Type: Original  
Date: April 28, 2014

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Bill Summary: This proposal pertains to public safety.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
General Revenue	(Unknown)	(Unknown)	(Under \$100,000)
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>(Unknown)</b>	<b>(Unknown)</b>	<b>(Under \$100,000)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Line of Duty Compensation*	\$0	\$0	\$0
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

\* transfers in and expenditures of an unknown amount net to zero.

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 14 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>
General Revenue	1 FTE	1 FTE	1 FTE
<b>Total Estimated Net Effect on FTE</b>	<b>1</b>	<b>1</b>	<b>1</b>

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).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>
<b>Local Government</b>	<b>\$0 or More than \$1,750,000</b>	<b>(Unknown) or More than \$1,750,000</b>	<b>(Unknown) or More than \$1,750,000</b>

## FISCAL ANALYSIS

### ASSUMPTION

#### Section 44.095 - Law enforcement mutual aid:

Officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** state since all members responding remain employees of their respective political subdivision or public safety agency, and the liability and workers' compensation is provided to the employees of the respective political subdivision or public safety agency, the MHP anticipates no fiscal impact.

In response to a similar proposal from this year (HB 2041), officials at **Ray County** assumed an unknown cost from this proposal.

**Oversight** assumes that since all members responding are deemed employees of their respective local political subdivisions, liability and workers' compensation are provided to the employees of the respective local political subdivision. Therefore, Oversight will show a \$0 fiscal impact to local political subdivisions.

#### Section 94.902 - Public Safety Sales Tax in North Kansas City and Liberty:

In response to a similar proposal from this year (HB 1443), officials at the **Department of Revenue (DOR)** assumed this section of the law gives North Kansas City the authority to impose a sales tax for public safety improvements. ITSD for DOR requires 40 hours of coding to support a new sales tax item. At \$27.30 per hour, the estimated cost would be \$1,092. This legislation does not create an additional impact for the Department.

**Oversight** assumes this cost to be minimal and therefore absorbable within current funding levels.

In response to a similar proposal from this year (HB 1443), officials at the **City of Kansas City** assumed no fiscal impact from this proposal.

In response to a similar proposal from this year (HB 1853), officials from the **Office of Administration - Office of Administration - Budget and Planning (BAP)** state according to DOR's sales tax report, taxable sales in Liberty totaled \$377.9 million in calendar 2013. Therefore, this sales tax might generate \$1.9 million for the city.

ASSUMPTION (continued)

The revenues collected will have no impact on general or total state revenues; however, 1% will be retained in General Revenue to offset DOR's collection costs. Therefore, general and total state revenues could increase by \$19,000 if the sales tax is approved.

Officials from the **City of Liberty** state if approved, this would generate \$1.75 million per year x 3 years for a total of \$5.25 million. Liberty would use these proceeds to fund only incremental police and fire expenses.

Section 287.453, RSMo - Line of Duty Compensation:

Officials from the **Department of Labor and Industrial Relations (DOLIR)** stated the benefit class of recipients who could be awarded Line of Duty Compensation benefits would be increased based on the expansion of what constitutes "Killed in the line of duty" in the proposal. Therefore, the number of pay outs would increase given the larger number of qualifying individuals. The number cannot be estimated, therefore, the increase is unknown.

DOLIR officials included an estimate of unknown additional cost for the General Revenue Fund in their response.

**Oversight** notes this program was enacted on June 19, 2009. No payments were made in FY 2009 or FY 2010, but payments (\$25,000 for each) were made on five claims in FY 2011, two claims in FY 2012 and thirteen claims (\$325,000) in FY 2013. Oversight has no information as to the potential increase in eligible claimants for this program which would result from implementing this proposal, and will indicate unknown transfers from the General Revenue Fund to the Line of Duty Compensation Fund and unknown payments to beneficiaries from the Line of Duty Compensation Fund for DOLIR.

**Oversight** also notes this program would sunset on June 19, 2015 and terminate September 1, 2016. Oversight assumes there would be no fiscal impact after FY 2016 unless the sunset is extended; therefore, Oversight will indicate no fiscal impact for FY 2017.

In response to a similar proposal from this year (HB 2116), officials from the **Office of Administration - Division of General Services (DGS)** noted this proposal would allow for death benefits for any law officers, emergency medical technicians, air ambulance pilots, air ambulance registered professional nurses, paramedics, and firefighters acting in the individual's performance of his or her duties whether the injury is received while the individual is on duty or off duty.

ASSUMPTION (continued)

DGS officials assumed the proposal would require the state's self insured workers' compensation program fund to pay death benefits for law enforcement officers acting in the individual's performance of his or her duties as a law enforcement officer regardless of whether an injury resulting in death is received while on or off duty.

DGS officials indicated an unknown additional cost to their organization for this proposal.

**Oversight** assumes this proposal would make changes to and have an impact only on the state program for line of duty compensation, managed by the Department of Labor and Industrial Relations; it would have no direct impact to other state agencies or to local governments.

Sections 304.055, 304.065, and 307.375 - School bus safety:

Officials from the **Department of Elementary and Secondary Education**, the **Department of Public Safety - Missouri State Highway Patrol**, and the **Department of Transportation** state this proposal will have no fiscal impact on their respective agencies.

In response to a similar proposal from this year (HB 1819), officials from the **Special School District of St. Louis County** and the **Parkway School District** each assumed no direct fiscal impact related to this proposed legislation.

In response to a similar proposal from this year (HB 1819), officials from the **Lee's Summit R-7 School District (LS R-7)** stated that there would be no additional cost to LS R-7 since these regulations pertain to privately owned school bus companies. All LS R-7 buses are equipped with two-way radios and school bus inspection reports are retained on-site for two years. LS R-7 will continue to operate as a state certified inspection facility for district vehicles.

In response to a similar proposal from this year (HB 1819), officials from the **Kansas City Public School District (KCPS)** stated that the bill will likely not impact their district fiscally based on what is currently being proposed. The only potential impact may be the amount of information that is exchanged between the district and the vendor on a regular basis. KCPS may need to augment what is required for the vendor to deliver to the district regarding vehicle inspection and repair information, but this should not cause a fiscal impact given that the vendor is currently required to make this information available to the district upon request.

ASSUMPTION (continued)

Section 566.135 - testing for sexually transmitted diseases:

In response to a similar proposal from this year (HB 1465), officials from the **Office of the State Courts Administrator, Office of the State Public Defender, Department of Corrections, Department of Public Safety - Missouri Highway Patrol, Office of Prosecution Services,** and the **Department of Health and Senior Services** each assumed the proposal would not fiscally impact their respective agencies.

In response to a similar proposal from this year (HB 1465), officials from the **Department of Public Safety - Office of the Director (DPS)** stated there would be a fiscal impact from this part of the proposal due to the establishment of a new program to process payment for these tests. However, because the amount of testing required is not clear, nor is the process of billing/payment of this testing, plus the fact that DPS does not know of any similar type of program in place, DPS will have to provide the impact as an unknown cost.

Sections 84.340, 571.030, and 590.750 - Corporate Security Officers:

In response to a similar bill from this year (HB 1596), officials from the **Department of Public Safety - Office of the Director (DPS)** stated this part of the bill requires DPS to regulate and license all corporate Security Advisors. DPS will have to promulgate rules to implement the provisions of the law and shall oversee the licensing of Security Advisors. The addition of the program will necessitate the hiring of a Program Representative II. DPS assumes the total cost for this additional FTE to be approximately \$55,000 per year.

Officials from the Office of Prosecution Services, the St. Louis Metropolitan Police Department, and the Kansas City Police Department did not respond to our request for fiscal impact.

**Oversight** assumes DPS will be able to charge fees for the licensing and renewal of licenses for corporate security advisors. Oversight does not know the number of corporate security advisors that are licensed each year by the St. Louis Metropolitan Police Department and the Kansas City Police Department. In the Code of State Regulations (17 CSR 10-2.040), the Board of Police Commissioners of Kansas City, Missouri has established the following fee schedule:

Annual Company License	\$300
Class A - Armed License	\$145
Class A - Armed License Renewal	\$ 90
Replacement of Lost/Stolen License	\$ 65



ASSUMPTION (continued)

Section 650.354 - Training for telecommunicators:

In response to a similar proposal from this year (HB 1863), officials from the **City of Columbia** and the **Columbia Police Department** assumed this proposal would have no fiscal impact on their organization but assume there would be an impact to dispatch centers.

In response to a similar proposal from this year (HB 1863), officials from **Cole County Emergency Management Services** assumed this proposal would result in additional cost of \$5,000 to \$10,000 per year to the County.

In response to a similar proposal from this year (HB 1863), officials from the **Jefferson City Police Department (JCPD)** assumed this proposal would have a fiscal impact on law enforcement as they would be required to provide training to operators who dispatch medical calls. JCPD officials stated they could not estimate the cost at this time.

In response to a similar proposal from this year (HB 1863), officials from the **Department of Economic Development - Public Service Commission**, the **Department of Public Safety - Capitol Police** and **Missouri Highway Patrol**, the **Office of the Boone County Sheriff**, and the **St. Louis County Directors of Elections** assume this proposal would have no fiscal impact to their organizations.

**Oversight** assumes this part of the proposal would have an impact on some local governments which provide emergency medical dispatch services, but do not currently provide or require training for their dispatchers. Oversight notes this proposal would require 12 hours of dispatcher training to be completed by January 1, 2016, and 24 hours by January 1, 2017.

**Oversight** has no information as to the number or size of such entities and will indicate an unknown cost for local governments to implement this proposal, for FY 2016 and FY 2017.

ASSUMPTION (continued)

Bill as a whole:

Officials from the **Department of Health and Senior Services**, the **Department of Revenue**, **Department of Elementary and Secondary Education**, and the **Department of Transportation** each assume the proposal would not fiscally impact their respective agencies.

According to officials from the **Office of the Secretary of State (SOS)**, many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, we also recognize that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what our office can sustain with our core budget. Therefore, we reserve the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

**Oversight** assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process.

<u>FISCAL IMPACT - State Government</u>	FY 2015 (10 Mo.)	FY 2016	FY 2017
<b>GENERAL REVENUE FUND</b>			
<u>Income</u> - DPS - licensing fees, renewal fees, and other fees for corporate security officers (§§ 84.340, 571.030, 590.750)	At least \$61,510	At least \$55,316	At least \$55,878
<u>Cost</u> - DPS - (§§ 84.340, 571.030, 590.750)			
Personal Service (1 FTE)	(\$35,844)	(\$36,202)	(\$36,564)
Fringe Benefits	(\$18,282)	(\$18,465)	(\$18,649)
Expense and Equipment	<u>(\$7,384)</u>	<u>(\$649)</u>	<u>(\$665)</u>
<u>Total Costs</u> - DPS	(\$61,510)	(\$55,316)	(\$55,878)
<u>Transfer Out</u> - to Line of Duty Compensation Fund (§287.243)	(Unknown)	(Unknown)	\$0
<u>Costs</u> - DPS - testing of certain defendants for sexually transmitted diseases (§566.135)	(Unknown)	(Unknown)	(Unknown)
<u>Costs</u> - Department of Corrections - increased incarceration / supervision expenses (§565.024)	(Under <u>\$100,000</u> )	(Under <u>\$100,000</u> )	(Under <u>\$100,000</u> )
<b>ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND</b>	<b><u>(Unknown)</u></b>	<b><u>(Unknown)</u></b>	<b><u>(Under \$100,000)</u></b>
Estimated Net FTE Change for General Revenue Fund	1 FTE	1 FTE	1 FTE

<u>FISCAL IMPACT - State Government</u> (continued)	FY 2015 (10 Mo.)	FY 2016	FY 2017
<b>LINE OF DUTY COMPENSATION FUND</b>			
<u>Transfer In</u> - from General Revenue Fund	Unknown	Unknown	\$0
<u>Cost</u> - DOLIR Line of Duty Compensation Program Changes	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>\$0</u>
<b>ESTIMATED NET EFFECT ON LINE OF DUTY COMPENSATION FUND</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<u>FISCAL IMPACT - Local Government</u>	FY 2015 (10 Mo.)	FY 2016	FY 2017
<b>LOCAL POLITICAL SUBDIVISIONS</b>			
<u>Income</u> - City of North Kansas City (\$94.902) sales tax for public safety	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
<u>Income</u> - City of Liberty (\$94.902) sales tax for public safety	\$0 or \$1,750,000	\$0 or \$1,750,000	\$0 or \$1,750,000
<u>Savings</u> - Kansas City and St. Louis Police Departments - no longer regulating corporate security advisors (§§ 84.340, 571.030, 590.750)	Unknown	Unknown	Unknown
<u>Loss</u> - Kansas City and St. Louis Police Departments - no longer collecting fees for regulating corporate security advisors - (§§ 84.340, 571.030, 590.750)	(Unknown)	(Unknown)	(Unknown)
<u>Cost</u> - Local governments Training for dispatchers Section 650.345	\$0	(Unknown)	(Unknown)
<b>ESTIMATED NET EFFECT TO LOCAL POLITICAL SUBDIVISIONS</b>	<b><u>\$0 or More than \$1,750,000</u></b>	<b><u>(Unknown) or More than \$1,750,000</u></b>	<b><u>(Unknown) or More than \$1,750,000</u></b>

FISCAL IMPACT - Small Business

Small businesses in Liberty of North Kansas City that pay or collect sales taxes may be impacted as a result of this proposal.

## FISCAL DESCRIPTION

Section 94.902 - would allow a sales taxes for public safety in North Kansas City and Liberty.

Section 287.243 - would expand the Line of Duty Compensation Program.

Section 566.135 - would require the prosecuting or circuit attorney to file a motion for the court-ordered sexually transmitted disease testing of a defendant charged with certain sexual offenses upon the request of the victim with notice given to the defense attorney. A motion can also be filed upon the prosecuting or circuit attorney's own initiative and for good cause shown with the proper notice given. The testing must occur within 48 hours of when the defendant was charged. The results of the testing and any follow-up testing must be released to the victim, the victim's parent or guardian if he or she is a minor, the prosecuting or circuit attorney, and the defendant's attorney as soon as practicable. All costs of the testing are to be paid by the Department of Public Safety.

Sections 84.340, 571.030 & 590.750 - moves the authority to regulate corporate security advisors from the Board of Police Commissioners to the Department of Public Safety. These sections have an emergency clause.

Section 650.345 - would require any person authorized to dispatch emergency medical calls to have completed 12 hours of training by January 1, 2016 and 24 hours of training by January 1, 2017.

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  
    Missouri Highway Patrol  
    Office of the Director  
    Capitol Police  
Department of Health and Senior Services  
Department of Transportation  
Department of Revenue  
Office of Administration  
    Office of Administration - Budget and Planning  
    Division of General Services  
Department of Elementary and Secondary Education

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SOURCES OF INFORMATION (continued)

Office of the State Courts Administrator  
Office of the State Public Defender  
Department of Corrections  
Office of Prosecution Services  
Department of Economic Development  
Office of the Secretary of State  
Ray County  
City of Kansas City  
City of Liberty  
Special School District of St. Louis County  
Parkway School District  
Lee's Summit R-7 School District  
Kansas City Public School District  
City of Columbia  
Columbia Police Department  
Cole County Emergency Management Services  
Jefferson City Police Department



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