

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0298-01  
Bill No.: HB 447  
Subject: Fire Protection; Counties; Administrative Law  
Type: Original  
Date: February 16, 2009

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Bill Summary: Requires all counties and fire protection districts to adopt and enforce the 2003 ICC International Fire Code

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
General Revenue	(\$122,869)	(\$151,873)	(\$156,426)
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>(\$122,869)</b>	<b>(\$151,873)</b>	<b>(\$156,426)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 6 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</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 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>
General Revenue	2	2	2
<b>Total Estimated Net Effect on FTE</b>	<b>2</b>	<b>2</b>	<b>2</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 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Department of Public Safety - Division of Fire Safety** assume this proposal requires all counties and fire protection districts to adopt and enforce the 2003 ICC International Fire Code by August 28, 2010. After that date, the Division of Fire Safety within the Department of Public Safety must adopt rules to enforce the code in a county or fire protection district which has not adopted the required international fire code.

The proposal states the Division of Fire Safety shall promulgate rules adopting the international fire code to govern all construction and occupancy of residential structures in all areas of the state which do not adopt the code or an equivalent code. As stated, construction and occupancy of residential structures would include countless individual and multi-family residences not under the scope of the Division's current program. It also includes residential care facilities, assisted living facilities, intermediate care facilities, and skilled nursing facilities, many of which may be under the current purview of the Division's inspection program.

Additionally, the Division is to provide assistance to any county or fire protection district in adopting the international fire code or an equivalent or stricter code. The Division is responsible for evaluating other fire codes to determine the equivalency. It also states the Division is to enforce the international fire code in any area of the state until that area adopts the code or an equivalent, or a stricter code. The legislation does not state a deadline for jurisdictions to comply with the code adoption; therefore it is assumed this would be an on-going program for the Division in areas which do not adopt a code.

The Division of Fire Safety's current Inspection program has a staff of 18 Inspectors, one Deputy Chief of Inspections, two Inspector Supervisors and two clerical staff. The staff conducts approximately 14,000 inspections annually. Due to legislation passing in 2007 expanding the duties of the program to include an additional 1200 facilities, the Division is requesting an additional six Fire Safety Inspectors, and one Inspector Supervisor in an FY10 new budget decision item. This proposed legislation would further expand the program, requiring additional staff and funding.

It is estimated 60% of the State of Missouri is within jurisdictions having fire codes equal to the International Fire Code. In order for the Division to administer a code enforcement program in the remaining areas of the state the Division estimates an additional 43 Fire Safety Inspectors would be required. This would place inspectors in 43 counties of the State that do not currently have fire codes either at all or in many of the jurisdictions within those counties. To assist these Inspectors, and process the additional inspection paperwork, three additional Office Support

ASSUMPTION (continued)

Assistants would be required. In order to assist with the management and supervision of this additional staff, three Fire Safety Inspection Supervisors would be needed. Associated expense and equipment funding is also requested.

**Oversight** has reduced the total FTE to two assuming the positions would provide support to political subdivisions attempting to comply with this proposal. Any significant increase in the workload would be reflected in future budget requests.

**Oversight** has sent response requests to **Boone County Fire District, Central County Fire and Rescue, Centralia Fire Department, Creve Couer Fire District, Desoto Rural Fire Protection, Hawk Point Fire Protection, Hillsboro Fire Protection, Hillsboro Fire Protection, Lake Saint Louis Fire District, Mehlville Fire District, Nixa Fire Protection District, St. Charles County Ambulance, Taney County Ambulance and Valley Ambulance District.** No response was submitted.

**This proposal reduces total state revenue.**

<u>FISCAL IMPACT - State Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
<b>GENERAL REVENUE</b>			
<u>Cost - Department of Public Safety</u>			
Division of Fire Safety			
Salaries	(\$57,740)	(\$71,367)	(\$73,507)
Fringe Benefits	(\$25,532)	(\$31,558)	(\$32,505)
Equipment & Expense	<u>(\$39,597)</u>	<u>(\$48,948)</u>	<u>(\$50,414)</u>
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b><u>(\$122,869)</u></b>	<b><u>(\$151,873)</u></b>	<b><u>(\$156,426)</u></b>
Estimated Net FTE Change for General Revenue	2	2	2
<u>FISCAL IMPACT - Local Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

This bill requires each county and fire protection district, by order or ordinance, to adopt and enforce the 2003 ICC International Fire Code by August 27, 2010. After that date, the State Fire Marshal within the Department of Public Safety must establish rules to enforce the code in a county or fire protection district which has not adopted the required international fire code.

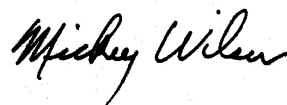
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Public Safety -  
Division of Fire Safety

NOT RESPONDING

Boone County Fire District  
Central County Fire & Rescue  
Centralia Fire Department  
Creve Couer Fire District  
Desoto Rural Fire Protection  
Hawk Point Fire Protection  
Hillsboro Fire Protection  
Lake Saint Louis Fire Department  
Mehlville Fire Department  
Nixa Fire Protection District  
St. Charles County Ambulance  
Taney County Ambulance  
Valley Ambulance District



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