

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3988-02
Bill No.: HCS for HB 1657
Subject: Domestic Relations; Political Subdivisions; Law Enforcement Officers and Agencies; Landlords and Tenants; Victims of Crime
Type: Original
Date: March 10, 2020

Bill Summary: This proposal changes the laws regarding public nuisances.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
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 2021	FY 2022	FY 2023
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
Total Estimated Net Effect on FTE	0	0	0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
Local Government	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

FISCAL ANALYSIS

ASSUMPTION

Officials at the **City of Kansas City (CKC)** assume this legislation will have a negative fiscal impact on the CKC. This legislation provides a separate cause of action to an entity to sue the CKC when it enforces its own ordinances. This could increase litigation against the CKC and make it vulnerable to claims for damages.

Oversight notes there could be an increase in lawsuits against political subdivisions being sued by residents, tenants or landlords if the political subdivision enforces or attempts to enforce an ordinance regarding a public nuisance issue. Oversight is unclear how much of an impact this could have on local political subdivisions and how many lawsuits could potentially be brought against the local political subdivision from the enactment of this legislation. Therefore, Oversight will assume a \$0 or unknown potential cost to local political subdivisions from this proposal.

Officials at the **Office of the State Courts Administrator**, the **Missouri Highway Patrol**, the **Department of Health and Senior Services**, the **Department of Mental Health**, the **Department of Social Services**, the **Office of the State Public Defender** and the **Office of Prosecution Services** each assume no fiscal impact to their respective agencies from this proposal.

In response to a previous version, officials at the **Department of Labor and Industrial Relations** assumed no fiscal impact from this proposal.

Officials at the **City of O'Fallon** and the **St. Louis County Department of Justice Services** each assume no fiscal impact to their respective entities from this proposal.

In response to a previous version, officials at the **City of Springfield**, the **Boone County Sheriff's Department**, the **St. Louis County Police Department** and the **Springfield Police Department** each assumed no fiscal impact to their respective entities from this proposal.

Oversight notes the Office of the State Courts Administrator, the Missouri Highway Patrol, the Department of Health and Senior Services, the Department of Mental Health, the Department of Social Services, the Department of Labor and Industrial Relations, the Office of the State Public Defender, the Office of Prosecution Services, the City of Springfield, the Boone County Sheriff's Department, the St. Louis County Police Department, the Springfield Police Department, the City of O'Fallon and the St. Louis County Department of Justice Services have stated the proposal would not have a direct fiscal impact on their organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note for these agencies.

ASSUMPTION (continued)

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other cities, counties and emergency response agencies were requested to respond to this proposed legislation, but did not. A general listing of political subdivisions included in our database is available upon request.

<u>FISCAL IMPACT - State Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023
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LOCAL POLITICAL SUBDIVISIONS

<u>Cost - Local Political Subdivisions - increase in number of lawsuits from enforcing ordinances for public nuisances</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
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ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>	<u>\$0 or (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 bill prohibits requests to law enforcement or emergency services for assistance from being considered a public nuisance.

Political subdivisions are prohibited from penalizing a resident, tenant, or landlord for a contact made for police or emergency assistance by or on behalf of a victim of abuse, crime, or an individual in an emergency, if the contact was reasonably believed to be necessary or is actually necessary.

If a political subdivision attempts to enforce an ordinance in violation of this prohibition, the resident, tenant, or landlord may file civil suit against the political subdivision for various remedies including a cease and desist order, compensatory damages, attorney's fees, court costs, and other equitable relief.

FISCAL DESCRIPTION (continued)


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

City of Kansas City
Office of the State Courts Administrator
Missouri Highway Patrol
Department of Health and Senior Services
Department of Mental Health
Department of Social Services
Department of Labor and Industrial Relations
Office of the State Public Defender
Office of Prosecution Services
City of O'Fallon
City of Springfield
Boone County Sheriff's Department
St. Louis County Police Department
Springfield Police Department
St. Louis County Department of Justice Services



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March 10, 2020



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March 10, 2020