

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0592H.03P
 Bill No.: Perfected HCS for HB 59
 Subject: Crimes and Punishment; Law Enforcement Officers and Agencies; County Government; County Officials; Counties; Unemployment Compensation
 Type: Original
 Date: February 18, 2021

Bill Summary: This proposal establishes provisions to protect personal information of active and retired first responders and establishes the Police Use of Force Transparency Act of 2021.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
General Revenue	(\$63,407)	(\$102,693)	(\$103,745)
Total Estimated Net Effect on General Revenue	(\$63,407)	(\$102,693)	(\$103,745)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
General Revenue	1 FTE	1 FTE	1 FTE
Total Estimated Net Effect on FTE	1 FTE	1 FTE	1 FTE

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§578.710 – Offense of Unlawful Posting of Personally Identifying Information over the Internet

In response to a previous version, officials from the **Attorney General’s Office** assumed the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this agency for this section of the proposal.

In response to a previous version, officials from the **Ellisville Police Department**, the **Pettis County Ambulance District**, the **St. Louis County Police Department**, the **Crawford County 911 Board**, the **Boone County Sheriff’s Department**, the **Crestwood Police Department**, the **Springfield Police Department**, the **Hermann Area Hospital District** and the **Nodaway County Ambulance District** each assumed the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

§590.1265 – Police Use of Force Transparency Act (House Amendment 1, as amended)

In response to similar legislation from this year, HB 998, officials from the **Attorney General’s Office (AGO)** stated section 590.1265 would require the AGO to establish and operate a system to intake and report on use-of-force incidents consistent with the Federal Bureau of Investigation’s National Use of Force Data Collection. This would require the AGO to develop a system for agencies across the state to submit these incidents to our office. The AGO estimates that one (1) Information Technology Specialist would be required to develop and maintain this system.

Oversight notes the provisions of this bill have a delayed effective date of January 1, 2022. Therefore, Oversight will adjust the fiscal impact provided by the AGO to only 6 months for FY 2022.

In response to similar legislation from this year, HB 998, officials from the **St. Louis County Police Department** stated the proposed legislation would require the Department to collect various types of data from use of force incidents to submit to the Attorney General’s Office. While the Department currently reports any uses of force resulting in fatalities or serious injury to the FBI’s National Use of Force Data Collection, the proposed legislation does not specify if additional information would need to be collected for other types of uses of force. This may become problematic if some of the information that would need to be collected for the AGO is not already tracked by the Department. If this were the case, the Department would need to

devote additional time, training, and resources in order to develop and utilize new methods to track the required information. Therefore, without knowing the specific information that the Department is required to report to the AGO, it is impossible to determine an estimated cost on the proposed legislation.

Oversight notes the AGO would establish and operate a system to intake and report on use-of-force incidents consistent with the Federal Bureau of Investigation's National Use of Force Data Collection. Therefore, Oversight will assume police and sheriff's departments will be able to implement the provisions within the proposal with existing resources.

In response to similar legislation from this year, HB 998, officials from the **Department of Public Safety - Capitol Police** and the **Missouri Department of Conservation** each assumed the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Bill as a Whole

Officials from the **Department of Health and Senior Services**, the **Department of Natural Resources**, the **Department of Corrections**, the **Department of Public Safety's Fire Safety, Office of the Director, Missouri Highway Patrol** and the **Department of Social Services** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Officials from the **Fruitland Area Fire Protection District** assume a positive impact to protect retired emergency services from this proposal. **Oversight** assumes the positive impact would be more of an indirect impact versus a direct impact. Therefore, Oversight will assume no direct fiscal impact from this response to the proposal.

Officials from the **Kansas City Police Department** and the **St. Joseph Police Department** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other sheriffs, police, fire protection districts, ambulance districts and hospital districts 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 2022 (6 Mo.)	FY 2023	FY 2024
GENERAL REVENUE			
<u>Costs – AGO</u> (590.1265)			
Personal Services	(\$30,000)	(\$60,600)	(\$61,206)
Fringe Benefits	(\$20,075)	(\$32,393)	(\$32,597)
Equipment & expense	(\$13,332)	(\$9,700)	(\$9,942)
Total costs – AGO	(\$63,407)	(\$102,693)	(\$103,745)
FTE Change-AGO	1 FTE	1 FTE	1 FTE
ESTIMATED NET EFFET ON THE GENERAL REVENUE FUND	<u>(\$63,407)</u>	<u>(\$102,693)</u>	<u>(\$103,745)</u>
Estimated Net FTE Change for the General Revenue Fund	1 FTE	1 FTE	1 FTE

<u>FISCAL IMPACT – Local Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
	<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.

FISCAL DESCRIPTION

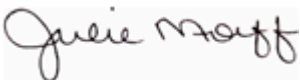
§590.1265 – Police Use of Force Transparency Act

This bill establishes the "Police Use of Force Transparency Act of 2021", which provides that all law enforcement agencies must, at least annually, collect and report local data to the National Use of Force Data Collection through the Law Enforcement Enterprise portal administered by the Federal Bureau of Investigation on use-of-force incidents involving peace officers. Law enforcement agencies must also report such data to the Attorney General. Information collected and reported must not include personally identifying information of individual officers. By June 30, 2022, the Attorney General must develop standards and procedures governing the collecting and reporting of the data. The Attorney General must publish the data reported by law enforcement agencies, and the data will be considered a public record, consistent with state law. The Attorney General must analyze trends and disparities in the data and report the findings and make the report available to the public no later than January 1, 2025. The provisions of this bill have a delayed effective date of January 1, 2022.

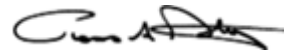
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Attorney General's Office
Department of Natural Resources
Department of Public Safety
Department of Social Services
Missouri Department of Conservation
Kansas City Police Department
St. Louis County Police Department
Department of Health and Senior Services
Department of Corrections
Boone County Sheriff's Department
Crestwood Police Department
Ellisville Police Department
Fruitland Fire Protection District
Pettis County Ambulance District
Springfield Police Department
St. Joseph Police Department
Crawford County 911 Board
Nodaway County Ambulance District
Hermann Area Hospital District



Julie Morff
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February 18, 2021



Ross Strobe
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