

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0674H.02C
 Bill No.: HCS for HB 784
 Subject: General Assembly; Law Enforcement Officers and Agencies
 Type: Original
 Date: January 28, 2021

Bill Summary: This proposal allows the Speaker of the House of Representatives and the President Pro Tempore of the Senate to appoint marshals.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
General Revenue*	\$0 or could exceed (\$184,222)	\$0 or could exceed (\$192,740)	\$0 or could exceed (\$194,428)
Total Estimated Net Effect on General Revenue	\$0 or could exceed (\$184,222)	\$0 or could exceed (\$192,740)	\$0 or could exceed (\$194,428)

*Oversight has ranged the fiscal impact of this proposal from \$0 (the Senate and the House of Representatives do not appoint marshals (bill is permissive) or the Senate and the House of Representatives appoint current members/employees to act as marshals without material additional compensation) to an amount that could exceed approximately \$190,000, which represents the cost of one (1) additional FTE in **each** the House and the Senate. Also, each chamber may decide to hire more than one additional marshal (“could exceed”).

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	0 or could exceed 2 FTE	0 or could exceed 2 FTE	0 or could exceed 2 FTE
Total Estimated Net Effect on FTE	0 or could exceed 2 FTE	0 or could exceed 2 FTE	0 or could exceed 2 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.

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

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Missouri House of Representatives (MHR)** state they are unsure at this time if the legislation requires additional staff. If a need arises to hire additional staff who will perform the duties of a law enforcement officer, MHR expects that it would be approximately \$62,500 PS (personal service) per new FTE and E&E (expense and equipment) of approximately \$12,500. This does not include fringe benefits.

Officials from **the Missouri Senate (SEN)** state they are unsure if the need to hire a Marshall will be necessary. If the need arises, the SEN anticipates a minimum of 1 extra FTE (PS of \$65,000 annually per FTE) and approximately \$2,000 in EE per FTE.

Oversight notes the proposal allows the leaders of the MHR and SEN to appoint marshals. Oversight assumes the HCS spells out qualifications the marshals must have, including at least five years' prior experience as a law enforcement officer and possess and maintain a valid peace officer license for the duration of his or her employment. Oversight notes the proposal is permissive. Therefore, Oversight will reflect a fiscal impact range of \$0 (neither the Senate nor the House of Representatives appoint marshals (bill is permissive), or the Senate and the House of Representatives appoint current members/employees to act as marshals without material additional compensation). Oversight will also reflect the possibility of the Senate and/or the House of Representatives hiring additional FTE marshals and will utilize the estimated expense provided by the MHR. Oversight notes either or both chambers may decide to hire more than 1 marshal, therefore, Oversight will include the phrase "could exceed" to the cost estimate

<u>FISCAL IMPACT –</u> <u>State Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
GENERAL REVENUE			
Costs – MHR	\$0 or could exceed...	\$0 or could exceed...	\$0 or could exceed...
Personal Service	(\$52,083)	(\$63,125)	(\$63,756)
Fringe Benefits	(\$27,528)	(\$33,245)	(\$33,458)
Expense & Equip.	(\$12,500)	\$0	\$0
Total Costs – MHR	\$0 or could exceed (\$92,111)	\$0 or could exceed (\$96,370)	\$0 or could exceed (\$97,214)
FTE Change - MHR	0 or could exceed 1 FTE	0 or could exceed 1 FTE	0 or could exceed 1 FTE

Costs – SEN	\$0 or could exceed...	\$0 or could exceed...	\$0 or could exceed...
Personal Service	(\$52,083)	(\$63,125)	(\$63,756)
Fringe Benefits	(\$27,528)	(\$33,245)	(\$33,458)
Expense & Equip.	(\$12,500)	\$0	\$0
Total Costs – SEN	\$0 or could exceed (\$92,111)	\$0 or could exceed (\$96,370)	\$0 or could exceed (\$97,214)
FTE Change - SEN	0 or could exceed 1 FTE	0 or could exceed 1 FTE	0 or could exceed 1 FTE
ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND	<u>\$0 or could exceed (\$184,222)</u>	<u>\$0 or could exceed (\$192,740)</u>	<u>\$0 or could exceed (\$194,428)</u>
Estimated Net FTE Change to the General Revenue Fund	0 or could exceed 2 FTE	0 or could exceed 2 FTE	0 or could exceed 2 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

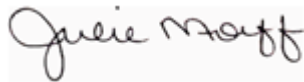
This bill authorizes the Speaker of the House of Representatives and the President Pro Tem of the Senate to appoint "House marshals" or "Senate Marshals" to serve their respective chamber of the General Assembly. Marshals may provide physical security, serve papers, and otherwise assist members as deemed appropriate. Marshals shall have at least five years' experience as a law enforcement officer and maintain a peace officer license. Together with the sergeant-at-arms, marshals may serve process, wear a concealable firearm, and make arrests based upon state law.

The Missouri House of Representatives and the Missouri Senate are authorized to commission peace officers to serve as sergeant-at-arms, deputy sergeant-at-arms, or house marshals. Such officers must take and subscribe an oath of office before an officer authorized to administer oaths. The oath will be filed in the office of the Clerk of the House or the office of the Secretary of the Senate. The Clerk of the House or the Secretary of the Senate will give each appointed officer a certificate of appointment, which will empower the officer with the same authority to maintain order, preserve peace, and make arrests as is now held by law enforcement officers.

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

Missouri House of Representatives
Missouri Senate



Julie Morff
Director
January 28, 2021



Ross Strobe
Assistant Director
January 28, 2021