

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1023H.02C  
 Bill No.: HCS for HB 86  
 Subject: Firearms; Crimes and Punishment  
 Type: Original  
 Date: March 24, 2021

Bill Summary: This proposal modifies provisions relating to the concealed carrying of firearms.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
College and University Funds*	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>

\***Oversight** assumes some policy creating and/or training is conducted regardless of this bill and this change could be incorporated into that annual review process. Therefore, Oversight assumes the fiscal impact would not reach the \$250,000 threshold.

Numbers within parentheses: () indicate costs or losses.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</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 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

- 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.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
<b>Local Government</b>	<b>\$0 or Unknown to (Unknown)</b>	<b>\$0 or Unknown to (Unknown)</b>	<b>\$0 or Unknown to (Unknown)</b>

## FISCAL ANALYSIS

### ASSUMPTION

#### §571.030 – Unlawful use of concealed weapons

For the purpose of the proposed legislation, and as a result of excessive caseloads, the **Missouri State Public Defender (SPD)** cannot assume existing staff will be able to provide competent, effective representation for any new cases where indigent persons are charged with the proposed new crime(s) concerning carrying concealed firearms under Chapter 571. The Missouri State Public Defender System is currently providing legal representation in caseloads in excess of recognized standards. While the number of new cases may be too few or uncertain to request additional funding for this specific bill, the Missouri State Public Defender will continue to request sufficient appropriations to provide competent and effective representation in all cases where the right to counsel attaches.

**Oversight** assumes the SPD will be able to perform any additional duties required by this proposal with current staff and resources and will reflect no fiscal impact to the SPD for fiscal note purposes.

#### Bill as a Whole

Officials from the **Department of Corrections (DOC)** state there are some individuals to which this rule would not apply to include state, county, municipal peace officers; federal probation officers; state probation and parole officers; and persons with a conceal and carry permit. It is assumed this change does not require the DOC to allow these individuals into a correctional facility with a weapon, which appears to be supported with language in 571.107 and 571.215. If this is the case, there is no impact; however, if this change is meant to allow some or all of these individuals to carry a weapon into a correctional facility, the DOC would have serious operational concerns.

**Oversight** assumes the intent of this legislation does not require the DOC to allow individuals into a correctional facility with a weapon; therefore, Oversight will reflect a no impact for purposes of this fiscal note.

Officials from the **Department of Elementary and Secondary Education**, the **Department of Higher Education and Workforce Development**, the **Department of Public Safety - Missouri Highway Patrol**, the **Missouri House of Representatives**, the **Missouri Office of Prosecution Services**, the **Missouri Senate**, the **Office of the State Courts Administrator**, the **City of Claycomo**, the **City of Kansas City**, the **St. Joseph Police Department**, the **St. Louis County Police Department**, each assume the proposal will have no fiscal impact on their respective organizations.

In response to a previous version, officials from the **City of Ballwin**, the **City of O'Fallon**, the **City of Springfield**, the **City of St. Louis**, the **City of Sugar Creek**, the **Crestwood Police Department**, the **Ellisville Police Department**, the **Kansas City Police Department**, the **High Point R-III School District**, the **Hermann Area Hospital District**, **Northwest Missouri State University**, **State Technical College of Missouri**, **University of Central Missouri**, and **St. Charles Community College** each assumed the proposal will have no fiscal impact on their respective organizations.

In response to a previous version, officials from the **City of Hale** responded to the legislation but did not provide a fiscal impact.

**Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

In response to a previous version, officials from the **University of Missouri (MU)** stated this bill allowing guns on campus would require an additional investment in policing creating an annual impact of greater than \$100,000.

In response to a previous version, officials from **Missouri State University (MSU)** assumed a negative fiscal impact of an undetermined amount.

**Oversight** notes that many of the assumptions noted above for increased training of existing staff may apply to community college districts and to other political subdivisions. Oversight cannot estimate a statewide cost; therefore, the impact to colleges and universities and political subdivisions will be presented as \$0 to (Unknown).

**Oversight** notes that violations resulting in fines per §571.030.8(2) could vary widely from year to year. Civil penalties collected are distributed to the school district where the violation occurred; therefore, Oversight will reflect a positive fiscal impact of \$0 to Unknown to local school districts on the fiscal note.

**Oversight** only reflects the responses that we have received from state agencies and political subdivisions; however, other cities, counties, hospitals, school districts, colleges and universities, and police and sheriff's departments 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 (10 Mo.)	FY 2023	FY 2024
<b>COLLEGE &amp; UNIVERSITY FUNDS</b>			
<u>Costs</u> - College & University (§§571.030, 571.107, 571.108, 571.109, 571.215, 577.703, and 577.712) Increase in operational costs	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<b>ESTIMATED NET EFFECT ON COLLEGE &amp; UNIVERSITY FUNDS</b>	<b>\$0 to (Unknown)</b>	<b>\$0 to (Unknown)</b>	<b>\$0 to (Unknown)</b>

<u>FISCAL IMPACT – Local Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
<b>POLITICAL SUBDIVISIONS</b>			
<u>Revenue</u> - School Districts - (§571.030) Fine revenue	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
<u>Costs</u> - (§§571.030, 571.107, 571.108, 571.109, 571.215, 577.703, and 577.712) Increase in operational costs	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<b>ESTIMATED NET EFFECT ON POLITICAL SUBDIVISIONS</b>	<b><u>\$0 or Unknown to (Unknown)</u></b>	<b><u>\$0 or Unknown to (Unknown)</u></b>	<b><u>\$0 or Unknown to (Unknown)</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 makes changes to the list of locations an individual can carry a concealed firearm within this state and the list of locations an individual with a concealed carry permit can carry a concealed firearm within the state. This bill also prohibits the state, political subdivisions, and public institutions of higher education from imposing any policies or contractual requirements that would have the effect of prohibiting employees or students from the carrying of concealed firearms into locations where concealed carry is not otherwise prohibited by law.

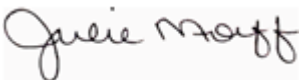
No changes have been made to the penalties for carrying a concealed firearm in locations prohibited under these sections.

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

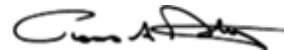
SOURCES OF INFORMATION

Department of Corrections  
 Department of Elementary and Secondary Education

Department of Higher Education and Workforce Development  
Department of Public Safety  
Missouri House of Representatives  
Missouri Office of Prosecution Services  
Missouri Senate  
Office of the State Courts Administrator  
Office of the State Public Defender  
City of Ballwin  
City of Claycomo  
City of Hale  
City of Kansas City  
City of O'Fallon  
City of Springfield  
City of St. Louis  
City of Sugar Creek  
Crestwood Police Department  
Ellisville Police Department  
Kansas City Police Department  
St. Joseph Police Department  
St. Louis County Police Department  
High Point R-III School District  
Hermann Area Hospital District  
Missouri State University  
Northwest Missouri State University  
State Technical College of Missouri  
St. Charles Community College  
University of Central Missouri  
University of Missouri



Julie Morff  
Director  
March 24, 2021



Ross Strope  
Assistant Director  
March 24, 2021