

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0753-02
Bill No.: Perfected HCS for HB 207
Subject: Transportation; Crimes and Punishment; Cities, Towns, and Villages
Type: Original
Date: April 29, 2015

Bill Summary: This proposal prohibits political subdivisions and state agencies from using automated traffic enforcement systems subject to approval by Missouri voters.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
General Revenue	\$0 to (More than \$7,100,000)	\$0	\$0
Total Estimated Net Effect on General Revenue	\$0 to (More than \$7,100,000)	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 8 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
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 2016	FY 2017	FY 2018
Local Government	\$0 or (Up to \$3,989,000)	\$0 or (Up to \$3,989,000)	\$0 or (Up to \$3,989,000)

FISCAL ANALYSIS

ASSUMPTION

In response to a previous version, officials at the **Office of the Secretary of State (SOS)** assumed each year, a number of joint resolutions that would refer to a vote of the people a constitutional amendment and bills that would refer to a vote of the people the statutory issue in the legislation may be considered by the General Assembly.

Unless a special election is called for the purpose, Joint Resolutions proposing a constitutional amendment are submitted to a vote of the people at the next general election. Article XII section 2(b) of the Missouri Constitution authorizes the Governor to order a special election for constitutional amendments referred to the people. If a special election is called to submit a Joint Resolution to a vote of the people, §115.063.2, RSMo, requires the state to pay the costs. The cost of the special election has been estimated to be \$7.1 million based on the cost of the 2012 Presidential Preference Primary. This figure was determined through analyzing and totaling expense reports from the 2012 Presidential Preference Primary received from local election authorities.

The SOS is required to pay for publishing in local newspapers the full text of each statewide ballot measure as directed by Article XII, Section 2(b) of the Missouri Constitution and Section 116.230-116.290, RSMo. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. Funding for this item is adjusted each year depending upon the election cycle with \$1.3 million historically appropriated in odd numbered fiscal years and \$100,000 appropriated in even numbered fiscal years to meet these requirements. The appropriation has historically been an estimated appropriation because the final cost is dependent upon the number of ballot measures approved by the General Assembly and the initiative petitions certified for the ballot. In FY 2013, at the August and November elections, there were 5 statewide Constitutional Amendments or ballot propositions that cost \$2.17 million to publish (an average of \$434,000 per issue). In FY 2015, the General Assembly changed the appropriation so that it was no longer an estimated appropriation and the SOS was appropriated \$1.19 million to publish the full text of the measures. Due to this reduced funding, the SOS reduced the scope of the publication of these measures. In FY 2015, at the August and November elections, there were 9 statewide Constitutional Amendments or ballot propositions that cost \$1.1 million to publish (an average of \$122,000 per issue). Despite the FY 2015 reduction, the SOS will continue to assume, for the purposes of this fiscal note, that it should have the full appropriation authority it needs to meet the publishing requirements. Because these requirements are mandatory, we reserve the right to request funding to meet the cost of our publishing requirements if the Governor and the General Assembly again change the amount or continue to not designate it as an estimated appropriation.

ASSUMPTION (continued)

Oversight has reflected in this fiscal note, the state potentially reimbursing local political subdivisions the cost of having this joint resolution voted on during a special election in fiscal year 2016. This reflects the decision made by the Joint Committee on Legislative Research, that the cost of the elections should be shown in the fiscal note. The next scheduled statewide primary election is in August 2016 (FY 2017) and the next scheduled general election is in November 2016 (FY 2017). It is assumed the subject within this proposal could be on either of those ballots; however, it could also be on a special election called for by the Governor. Therefore, Oversight will reflect a potential election cost reimbursement to local political subdivisions in FY 2016.

Officials at the **City of St. Louis** assumed the City would lose approximately \$3.5 million in revenue annually. Automated traffic enforcement systems have been utilized effectively in the City to monitor intersections with high amounts of traffic and susceptibility toward traffic accidents. The cost of monitoring is paid through a portion of the fines imposed on those who violate traffic ordinances at these intersections. Elimination of the fine revenue would have a significant negative impact, resulting in the loss of approximately \$3.5 million in net revenue annually, in addition to losing the source of funding for this public safety monitoring system.

Oversight assumes any fines from red light cameras in St. Louis City are being placed in an escrow account pending the outcome of a current court case with the Missouri Supreme Court. This information comes from an article in the St. Louis Post Dispatch dated December 2, 2014. Officials at the City of St. Louis assume this practice will continue until the court case is decided. If it is released from escrow, the revenue will go into the general fund.

Oversight inquired the www.photoenforced.com website to locate cities within the State of Missouri that use red light cameras. Oversight then contacted those cities to inquire if the red light cameras were still being used within their cities. The cities of Baldwin and Edmundson did not respond to Oversight's inquiry. Officials at the Missouri Department of Transportation (MoDOT) also provided Oversight with a list of cities that have agreements with the Missouri Department of Transportation. The following is a list of those cities and the status of the cameras within those cities. Oversight assumes an amount up to the same revenue earned in FY 2014 will continue to be earned for the period of this fiscal note until a decision is made by the voters of the State of Missouri.

ASSUMPTION (continued)

City	Automated Traffic Enforcement Systems (ATES) still in operation	FY 2014 Revenue Collected on ATES	Estimate of Revenues FY 2016	Estimate of Revenues FY 2017	Estimate of Revenues FY 2018	Agreements with MoDOT*	Notes
Arnold	No	\$28,200	\$0	\$0	\$0	Yes	Suspended Feb 2014
Bel-Nor			n/a	n/a	n/a	Yes	
Beverly Hills			n/a	n/a	n/a	Yes	
Bridgeton			n/a	n/a	n/a	Yes	
Calverton Park**	No		\$0	\$0	\$0	Yes	Suspended
Columbia	No	\$18,501	\$0	\$0	\$0		Suspended early 2014
Creve Coeur	No		\$0	\$0	\$0	Yes	Suspended
Edmundson			n/a	n/a	n/a	Yes	
Ellsville	No		\$0	\$0	\$0	Yes	Cameras have been removed
Excelsior Springs	No	\$0	\$0	\$0	\$0	Yes	Suspended Nov 2013
Ferguson			n/a	n/a	n/a	Yes	
Florissant	No		\$0	\$0	\$0	Yes	Suspended
Gladstone	No	\$0	\$0	\$0	\$0		Never used
Grandview	No	\$0	\$0	\$0	\$0		
Hannibal	Yes	\$489,000	\$489,000	\$489,000	\$489,000	Yes	1 camera in use
Hazelwood	No		\$0	\$0	\$0	Yes	Suspended
Independence	No	\$0	\$0	\$0	\$0		
Kansas City	No	\$1,847,129	\$0	\$0	\$0	Yes	Suspended after Nov 2013
Liberty	No	\$0	\$0	\$0	\$0		Never had them
Moline Acres	No		n/a	n/a	n/a	Yes	No longer using them
Northwoods			n/a	n/a	n/a	Yes	
Rolla	No	\$0	\$0	\$0	\$0		Never had them
Sedalia	No	\$0	\$0	\$0	\$0		Never used them
St. Ann	No		\$0	\$0	\$0	Yes	Suspended
St. John	No		\$0	\$0	\$0	Yes	Suspended
St. Joseph	No	\$0	\$0	\$0	\$0	Yes	
St. Louis	Yes	\$3,500,000	\$3,500,000	\$3,500,000	\$3,500,000	Yes	Fines collected are in an escrow account pending outcome of court case.
St. Peters	No	\$122,157	\$0	\$0	\$0		Suspended Sept 2014
Sugar Creek	No	\$0	\$0	\$0	\$0	Yes	Suspended Dec 2013
Washington	No	\$0	\$0	\$0	\$0		
Wentzville						Yes	
TOTAL		\$6,004,987	\$3,989,000	\$3,989,000	\$3,989,000		

*These are agreements to utilize automated enforcement equipment on state-maintained roadways.

**Has an agreement with MoDOT for both red-light cameras and automated speed enforcement in a school zone.

ASSUMPTION (continued)

Officials at the **City of Kansas City** assumed no fiscal impact from this proposal. At present, there are no fiscal impact because the City is not generating any citations. There are two cases currently before the Supreme Court. If the Court rules in a way that allows Red Light Compliance companies to get back in business, the City may have a different fiscal impact. But that's speculative at this time.

Officials at the **Department of Public Safety's Missouri Highway Patrol**, the **Office of the Governor**, the **Office of the State Courts Administrator** and the **Department of Revenue** each assume no fiscal impact to their respective agencies from this proposal.

In response to a previous version, officials at **Missouri Department of Transportation** assumed no fiscal impact from this proposal.

Officials at the **City of Columbia**, the **St. Louis County Board of Election Commission**, the **Boone County Sheriff's Department**, **St. Louis County**, **Christian County** and the **Platte County Board of Election Commission** each assume no fiscal impact to their respective organizations from this proposal.

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

<u>FISCAL IMPACT - State Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
GENERAL REVENUE			
<u>Transfer Out - Secretary of State - reimbursement of local election authority election costs if a special election is called by the Governor</u>	\$0 or (More than <u>\$7,100,000</u>)	<u>\$0</u>	<u>\$0</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE	\$0 or (More than <u>\$7,100,000</u>)	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
LOCAL POLITICAL SUBDIVISIONS			
<u>Loss</u> - Cities and Counties - fine revenue	\$0 or (Up to \$3,989,000)	\$0 or (Up to \$3,989,000)	\$0 or (Up to \$3,989,000)
<u>Transfer In</u> - Local Election Authorities - reimbursement of election costs by the State for a special election	\$0 or More than \$7,100,000	\$0	\$0
<u>Costs</u> - Local Election Authorities - cost of a special election	\$0 or (More than \$7,100,000)	<u>\$0</u>	<u>\$0</u>
ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	<u>\$0 or (Up to \$3,989,000)</u>	<u>\$0 or (Up to \$3,989,000)</u>	<u>\$0 or (Up to \$3,989,000)</u>

FISCAL IMPACT - Small Business

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

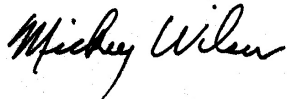
FISCAL DESCRIPTION

This bill prohibits, upon voter approval, any political subdivision or state agency from using automated traffic enforcement systems. The bill allows for the lawful use of automated license plate readers.

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

Office of the Secretary of State
Missouri Department of Transportation
Department of Public Safety's Missouri Highway Patrol
Office of the Governor
Office of the State Courts Administrator
Department of Revenue
City of Columbia
St. Louis County Board of Election Commission
Independence Police Department
Boone County Sheriff's Department
Springfield Police Department
Platte County Board of Election Commission
St. Louis County Police Department
City of St. Louis
City of Kansas City
St. Louis County
Christian County



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April 29, 2015

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