

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1181H.01I  
Bill No.: HB 499  
Subject: Law Enforcement Officers and Agencies; Crimes and Punishment; Criminal Procedure  
Type: Original  
Date: March 5, 2021

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Bill Summary: This proposal establishes the Law Enforcement Officers' Bill of Rights.

**FISCAL SUMMARY**

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

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</b>	<b>\$0</b>	<b>\$0</b>

\*Potential costs and revenues net to zero.

**FISCAL ANALYSIS**

**ASSUMPTION**

**§590.500 - Law Enforcement Officers’ Bill of Rights**

Officials from the **Attorney General’s Office**, the **Department of Natural Resources**, the **Department of Labor and Industrial Relations**, the **Department of Public Safety – (Capitol Police and Missouri Highway Patrol)**, the **Department of Social Services**, the **Missouri Office of Prosecution Services**, the **Office of the State Courts Administrator**, the **Crestwood Police Department**, the **Kansas City Police Department**, the **St. Louis County Police Department** each assume the proposal will have no fiscal impact on their respective organizations.

Officials from the **Department of Conservation (MDC)** state the fiscal impact is unknown but will likely be less than \$100,000 for training costs.

**Oversight** assumes some annual training of officers is conducted regardless of this bill and this change could be incorporated into that training. Therefore, Oversight will reflect a zero impact in the fiscal note for this agency.

Officials from the **Ellisville Police Department** state there may be a fiscal impact related to the implementation of this bill; however, there does not appear to be any direct cost.

**Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies. However, §590.500.12 provides for a civil penalties of up to \$10,000. Oversight will reflect a potential cost to law enforcement agencies (LEA) and potential corresponding revenue to local school districts, netting to zero.

Officials from the **Office of Administration** did not respond to **Oversight’s** request for fiscal impact for this proposal.

**Oversight** only reflects the responses that we have received from state agencies and political subdivisions; however, other 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 –</u> <u>State Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

<u>FISCAL IMPACT – Local Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
<b>LOCAL POLITICAL SUBDIVISIONS</b>			
<u>Loss – Law Enforcement Agencies – for violations of §590.500</u>	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<u>Income – School Districts – civil penalties assessed on LEA for violations of §590.500</u>	\$0 or <u>Unknown</u>	\$0 or <u>Unknown</u>	\$0 or <u>Unknown</u>
<b>ESTIMATED NET FISCAL IMPACT TO LOCAL POLITICAL SUBDIVISIONS</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</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 establishes the "Law Enforcement Officers' Bill of Rights".

The bill defines a "law enforcement officer" as any sworn peace officer, except an elected sheriff or deputy, who possesses the duty and power of arrest for violations of the criminal laws of this state or for violations of ordinances of counties or municipalities of this state. These provisions do not apply to an officer serving in a probationary period or the highest ranking officer of any law enforcement agency.

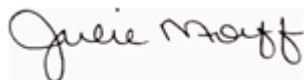
The bill specifies certain rights a law enforcement officer has when he or she is the subject of an administrative investigation or is being questioned or interviewed. These rights include being informed of the violation, requiring the complaint to be supported by a sworn affidavit, and allowing the officer to have an attorney.

This bill provides that any law enforcement officer who is suspended without pay, demoted, terminated, transferred, or placed on a status resulting in economic loss is entitled to a full due process hearing. The hearing requirements are specified in the bill.


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 Labor and Industrial Relations  
Department of Natural Resources  
Department of Public Safety  
Department of Social Services  
Missouri Department of Conservation  
Missouri Office of Prosecution Services  
Office of the State Courts Administrator  
Crestwood Police Department  
Ellisville Police Department  
Kansas City Police Department  
St. Louis County Police Department



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March 5, 2021



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