

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 5551S.01I  
Bill No.: SB 1395  
Subject: Fireworks; Fire Protection; Counties; Crimes and Punishment  
Type: Original  
Date: February 29, 2024

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Bill Summary: This proposal modifies provisions relating to fireworks protections.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</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 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
Fire Education	(\$32,934)	(\$32,934)	(\$32,934)
Cigarette Fire Safety & Firefighter Protection	\$32,934	\$32,934	\$32,934
<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 2025</b>	<b>FY 2026</b>	<b>FY 2027</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 2025</b>	<b>FY 2026</b>	<b>FY 2027</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 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

#### §§320.111, 320.116 and 320.147 – Provisions governing fireworks

Officials from the **Department of Public Safety (DPS) – Division of Fire Safety (DFS)** state the DFS took the average revenues over the past three fiscal years and figured the 80/20 percent split. This would cause a decrease in revenues to the Firefighter Training Fund of approximately \$32,924 annually but an increase to the Fire Safe Cigarette fund of the same amount.

**Oversight** has no information to the contrary. Therefore, Oversight will present the fiscal impact of this proposal as provided by DPS-DFS. Oversight notes the decrease in revenues to one fund are offset by the increase in revenue to the other fund, so the net fiscal impact is \$0.

Officials from the **Department of Natural Resources**, the **DPS - Missouri Highway Patrol** and the **Missouri Department of Transportation** 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.

#### Rule Promulgation

Officials from the **Joint Committee on Administrative Rules** assume this proposal is not anticipated to cause a fiscal impact beyond its current appropriation.

Officials from the **Office of the Secretary of State (SOS)** note many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$5,000. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with its core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

**Oversight** only reflects the responses received from state agencies and political subdivisions; however, other cities, various county officials, and fire protection districts were requested to respond to this proposed legislation but did not. A listing of political subdivisions included in the Missouri Legislative Information System (MOLIS) database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
<b>FIRE EDUCATION FUND (0821)</b>			
<u>Loss</u> – DPS-DFS – reduction in license and permit fees (§320.111.10) p.3	<u>(\$32,934)</u>	<u>(\$32,934)</u>	<u>(\$32,934)</u>
<b>ESTIMATED NET EFFECT ON THE FIRE EDUCATION FUND</b>	<b><u>(\$32,934)</u></b>	<b><u>(\$32,934)</u></b>	<b><u>(\$32,934)</u></b>
<b>CIGARETTE FIRE SAFETY &amp; FIREFIGHTER PROTECTION FUND (0937)</b>			
<u>Income</u> – DPS-DFS – increase in license and permit fees p.3	<u>\$32,934</u>	<u>\$32,934</u>	<u>\$32,934</u>
<b>ESTIMATED NET EFFECT ON THE CIGARETTE FIRE SAFETY &amp; FIREFIGHTER PROTECTION FUND</b>	<b><u>\$32,934</u></b>	<b><u>\$32,934</u></b>	<b><u>\$32,934</u></b>

<u>FISCAL IMPACT – Local Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

FISCAL IMPACT – Small Business

This proposal may impact small businesses that sell fireworks.

FISCAL DESCRIPTION

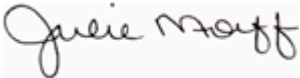
This act modifies the permit and licensing fees and penalties which the State Fire Marshal is authorized to assess. Fees for permits shall be deposited to the Fire Education Fund and the Cigarette Fire Safety Standard and Firefighter Protection Act Fund as provided in this act.

The State Fire Marshal may revoke or suspend any permit issued upon evidence of alcohol, marijuana, or any illicit controlled substance use taking place within the permitted location and may also refuse to issue a permit when the individual or partner of the individual is under suspension. The State Fire Marshal shall inspect any establishment, venue, or shoot site where certain fireworks are to be discharged. Any person selling fireworks shall allow the State Fire Marshal to inspect any location where fireworks are stored, kept, or sold. Failure to allow an inspection shall result in suspension or revocation of the person's permit. Any new construction of a fireworks building or structure shall be submitted to the State Fire Marshal for review.  
(§320.111)

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 Natural Resources  
Department of Public Safety –  
    Division of Fire Safety  
    Missouri Highway Patrol  
Missouri Department of Transportation  
Office of the Secretary of State  
Joint Committee on Administrative Rules



Julie Morff  
Director  
February 29, 2024



Ross Strobe  
Assistant Director  
February 29, 2024