

**NOTE: This is an earlier version of the fiscal note for HF295-0.**

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Fiscal Note

2021-2022 Legislative Session

**HF295 - 0 - BCA Investigates; Nat'l Guard Crim. Sexual Conduct**

Chief Author: **Kelly Moller**  
 Committee: **Public Safety and Criminal Justice Reform Finance and Policy**  
 Date Completed: **2/15/2021 4:51:21 PM**  
 Agency: **Public Safety Dept**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium	
	FY2021	FY2022	FY2023	FY2024	FY2025
Dollars in Thousands					
<b>General Fund</b>	-	319	319	319	319
<b>Total</b>	-	<b>319</b>	<b>319</b>	<b>319</b>	<b>319</b>
<b>Biennial Total</b>			<b>638</b>		<b>638</b>

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2021	FY2022	FY2023	FY2024	FY2025
General Fund	-	2	2	2	2
<b>Total</b>	-	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>

**LBO Analyst's Comment**

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

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**State Cost (Savings) Calculation Details**

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

\*Transfers In/Out and Absorbed Costs are only displayed when reported.

<b>State Cost (Savings) = 1-2</b>		Biennium			Biennium	
Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025	
General Fund	-	319	319	319	319	319
<b>Total</b>	<b>-</b>	<b>319</b>	<b>319</b>	<b>319</b>	<b>319</b>	<b>319</b>
<b>Biennial Total</b>			<b>638</b>			<b>638</b>
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>						
General Fund	-	319	319	319	319	319
<b>Total</b>	<b>-</b>	<b>319</b>	<b>319</b>	<b>319</b>	<b>319</b>	<b>319</b>
<b>Biennial Total</b>			<b>638</b>			<b>638</b>
<b>2 - Revenues, Transfers In*</b>						
General Fund	-	-	-	-	-	-
<b>Total</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Biennial Total</b>			<b>-</b>			<b>-</b>

**Bill Description**

Section 1: Adds the duty of investigating criminal sexual conduct cases where a member both the victim and the accused are members of the Minnesota National Guard and the incident occurred in Minnesota to the Use of Force Investigations Unit at the BCA. Also adds the duty of investigating those alleged sexual assaults involving the same scenario, with the incident occurring out of state, if the investigating agency requests assistance from the BCA.

Section 2: Requires an investigating agency that discovers that both the victim and accused are members of the Minnesota National Guard, to refer the matter along with the summary to the BCA for investigation.

**Assumptions**

It is assumed that the National Guard has had the following criminal sexual conduct, where the accused and the victim are both members of the Minnesota National Guard, in the noted calendar years:

CY 2018: 15

CY 2019: 20

These case counts reflect incidents that occur both in Minnesota and on duty outside of Minnesota.

It takes, on average, 140 hours to lead an investigation into criminal sexual conduct.

If each of the above case counts required 140 hours of work, the total hours worked by investigators would total:

CY 2018: 2100

CY 2019: 2800

When averaged out, this would come to approximately 2,450 hours of work per annum. This does not account for those cases that require significantly longer investigation time, travel, administrative duties, training, time off and other time needs.

Due to multiple cases being investigated at one time and occurring across the state, more than one agent will be needed. Any travel time is in addition to the hours needed to investigate. The bill also provides that the BCA may assist in investigations outside of the state, potentially requiring additional travel time. Given this information, the BCA would need two additional Special Agents to handle the investigations required by the bill.

Special Agents make a maximum salary of \$89,429 and, with the addition of fringe benefits, each agent costs \$141,634.30

per annum in salary and fringe benefits.

The BCA has hired no Special Agent at or below midrange salary recently. Instead, all Special Agents have been salaried at steps towards the highest brackets available to them, due to experience. Because of this, it is necessary to account for actual possible costs via the maximum salary and fringe benefit request.

Each special agent requires equipment, training and supplies in costing \$18,100 per year.

Therefore, each special agent will a total of \$159,734.30 per annum to keep on staff.

#### **Expenditure and/or Revenue Formula**

\$141,634.30 per year x 2 agents = \$283,268.60 per annum in salary and fringe benefits.

\$18,100 per year x 2 agents = \$36,200 per annum in equipment, supplies, and training.

\$283,268.60 + \$36,200 = \$319,268.60 per annum in salary and fringe benefits, equipment, supplies, and training.

#### **Long-Term Fiscal Considerations**

#### **Local Fiscal Impact**

#### **References/Sources**

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