

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3654-01
Bill No.: SB 716
Subject: Civil Rights; Courts
Type: Original
Date: April 10, 2006

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the Attorney General (AGO)** assume the proposal will enable new cases of alleged discrimination based on sexual orientation to come before the Human Rights Commission. As a result, the AGO anticipates additional work in representing the Commission. At this time, it is unknown how many new claims will be filed by individuals alleging discrimination based on sexual orientation. AGO assumes the number of claims in the first few years will be less than 10 and that the AGO can absorb the costs of representing the Commission in its review of these claims. However, if there is a significant increase in claims over time, the AGO may seek additional appropriations to adequately represent the Human Rights Commission in handling these claims.

Officials from the **Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on the courts.

Officials from the **Department of Labor and Industrial Relations – Missouri Commission on Human Rights (MCHR)** assume they cannot predict the number of cases the proposal would add to the MCHR’s caseload. The MCHR estimates, based on information received from four states which cover sexual orientation, the percentage of cases filed is 2.4%.

ASSUMPTION (continued)

The MCHR received 2,121 complaints in FY 05. If this would increase in by 2.4% due to adding sexual orientation as a protected category, this would add 51 new complaints. The MCHR estimates .61 FTE (each at \$38,190 per year) to absorb the additional workload. MCHR estimates the salary plus fringe benefits to be \$28,430 in FY 07, \$34,971 in FY 08, and \$35,845 in FY 09.

Oversight assumes the Department of Labor and Industrial Relations – Missouri Commission on Human Rights (MCHR) could absorb any increase in complaints within existing resources. However, if the number of cases increases, MCHR could request additional funding through the budgetary process.

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

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

DESCRIPTION

The proposed legislation prohibits discrimination based upon a person's sexual orientation. Such discrimination includes unlawful housing practices, the denial of loans or other financial assistance, the denial of membership into an organization relating to the selling or renting of dwellings, unlawful employment practices, and the denial of the right to use public accommodations.

DESCRIPTION (continued)

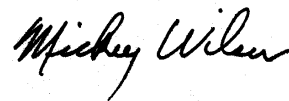
The proposal defines “sexual orientation” as male or female heterosexuality, homosexuality, or bisexuality by inclination, practice, identity or expression, or having a self-image or identity not traditionally associated with one’s biological gender.

The proposal also specifies that discrimination includes cases where unfair treatment results from the guilty party’s mere assumptions about the victim’s characteristics of race, religion, etc., whether or not such assumptions are true or false.

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 Attorney General
Office of State Courts Administrator
Department of Labor and Industrial Relations



Mickey Wilson, CPA
Director
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