

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 5422-02  
Bill No.: SB 1250  
Subject: Education, Higher; Education, Elementary and Secondary; Elementary and Secondary Educations Dept; Highway Patrol; Law Enforcement Officers and Agencies; Public Assistance; Medicaid; Health Care; Health, Public; Social Services Dept; Elections  
Type: Original  
Date: April 6, 2006

**FISCAL SUMMARY**

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

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
<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.  
This fiscal note contains 6 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2007</b>	<b>FY 2008</b>	<b>FY 2009</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 LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2007</b>	<b>FY 2008</b>	<b>FY 2009</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**FISCAL ANALYSIS**

**ASSUMPTION**

Officials from the **Office of the Secretary of State (SOS)** assume 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 proposal for Administrative Rules is less than \$1,500. The SOS recognizes this is a small amount and does not expect additional funding would be required to meet these costs. However, SOS also recognizes that many such bills may be passed in a given year and that collectively the costs may be in excess of what the SOS can sustain with their core budget. Any additional required funding would be handled through the budget process.

Officials from the **Office of State Courts Administrator** assume there will be no fiscal impact on the Courts.

Officials from the **Department of Health and Senior Services (DOHSS)** state this proposal would not be expected to fiscal impact the operations of DOHSS. If a fiscal impact were to result, funds to support the program would be sought through the appropriations process

Officials from the following agencies and divisions indicated there would be no fiscal impact to

ASSUMPTION (continued)

their respective organizations as a result of this proposed legislation: **Department of Public Safety - Office of the Director and Missouri State Highway Patrol; Department of Social Services - Division of Youth Services, Division of Legal Services, Children's Division, Division of Medical Services, and Family Support Division.**

According to officials from the **Department of Elementary and Secondary Education (DESE)**, this proposal will likely have no significant impact on DESE. The burden of ensuring an individual's citizenship status will likely fall on the grantee or the local school district. The number of illegal immigrants is not documented. In addition, DESE is not aware what mechanism grantees or local school districts would employ to verify citizenship status. Therefore, DESE cannot estimate a potential cost.

Officials from the **Coordinating Board for Higher Education (CBH)** assume this proposal requires the CBH to ensure that non-citizens and non-permanent residents of the United States or those without lawful immigration status do not receive in-state tuition status, tuition waivers, fee waivers, grants, scholarship assistance, financial aid, tuition assistance, or any other type of financial assistance at any public higher education institution. This proposed legislation could result in a significant cost in developing and implementing a statewide system for tracking and monitoring the immigration status of every student at each public higher education institution. In addition, this could result in a fiscal impact for each campus to collect and report the information necessary for the CBH to meet the requirements of this legislation.

**Oversight** assumes, based on responses from other agencies, that compliance with this proposed legislation will not be burdensome to any one agency. If a fiscal impact were to result, funds to support the program would be sought through the appropriations process.

Officials from the **Boone County Sheriff's Department** and the **Springfield Police Department** state this proposal will have no fiscal impact on their respective agencies.

<u>FISCAL IMPACT - State Government</u>	FY 2007	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2007	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

This proposed legislation alters multiple provisions regarding illegal aliens:

SECTION 43.032

Subject to appropriation, the superintendent of the Highway Patrol may designate that some or all employees of the Highway Patrol be trained in accordance with a memorandum of understanding between Missouri and the U.S. Department of Justice or the federal Department of Homeland Security concerning the enforcement of federal immigration laws on federal highways and interstates in Missouri.

SECTION 115.427

The proposal amends personal identification requirements to be shown to gain voter eligibility at polling places. The identification must be issued by the United States or the state of Missouri, include the individual's name and photograph, and must have not expired before the date of the most recent general election unless it is a non-expiring or non-expired Missouri nondriver's license or a non-expired Missouri driver's license .

SECTION 161.092

Requires the State Board of Education to ensure that an adult individual who is not a citizen or a permanent resident of the United States or does not possess lawful immigration status shall be prohibited from participating in any family literacy program, parents-as-teachers program, vocational education program, vocational rehabilitation program, or after-school tutoring program.

SECTION 173.005

Requires the Coordinating Board for Higher Education to ensure that an individual who is not a citizen or a permanent resident of the United States or does not possess lawful immigration status shall not receive in-state tuition status, tuition waivers, fee waivers, grants, scholarship assistance, financial aid, tuition assistance, or any other type of financial assistance at any public higher education institution.

DESCRIPTION (continued)

SECTION 208.009

Provides that an individual who is not a citizen or a permanent resident of the United States or who does not possess lawful immigration status shall be prohibited from receiving state or local public assistance under Chapter 208, RSMo, except for state or local public assistance that is mandated by federal law.

An applicant who is nineteen years of age or older shall provide affirmative proof that the applicant is a citizen or permanent resident of the United States or possesses lawful immigration status. An applicant who is under the age of nineteen years shall not be required to provide such affirmative proof.

An applicant who cannot provide the proof required under this act at the time of application for public assistance may alternatively sign an affidavit under oath, attesting to either United States citizenship or to classification by the United States as an alien lawfully admitted for permanent residence, in order to receive temporary benefits. An applicant providing the sworn affidavit is eligible to receive temporary public assistance program benefits as delineated in the proposal.

All state agencies administering public assistance programs in this state shall cooperate with local governments and the United States Department of Homeland Security to develop a system to facilitate verification of an individual's lawful presence.

SECTION 590.700

Peace officers are authorized to investigate, apprehend, detain, or remove any individual who is not a citizen or permanent resident of the United States and who is located in this state. Peace officers are authorized to transport such individuals across state lines to a detention center.

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 Social Services  
    Division of Youth Services  
    Children's Division  
    Division of Legal Services  
    Division of Medical Services  
    Family Support Division  
Department of Health and Senior Services  
Office of Secretary of State  
    Elections Division  
    Administrative Rules Division  
Coordinating Board of Higher Education  
Department of Public Safety  
    Office of the Director  
    Missouri State Highway Patrol  
Office of State Courts Administrator  
Department of Elementary and Secondary Educations  
Local Law Enforcement  
    Springfield Police  
    Boone County Sheriff's Department



Mickey Wilson, CPA  
Director  
April 6, 2006