

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5422-05
Bill No.: Perfected SCS for SB 1250
Subject: Education, Higher; Education, Elementary and Secondary; Elementary and Secondary Education Dept; Highway Patrol, Law Enforcement Officers and Agencies; Public Assistance; Medicaid; Health Care; Health, Public; Social Services Department
Type: Original
Date: April 25, 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 8 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	(Unknown-Expected to be Less than \$100,000)	(Unknown-Expected to be Less than \$100,000)	(Unknown-Expected to be Less than \$100,000)

FISCAL ANALYSIS

ASSUMPTION

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

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 the Governor** stated there would be no cost or savings to their department resulting from this proposal.

ASSUMPTION (continued)

SECTION 34.077

Officials from the **Department of Labor and Industrial Relations (DOLIR)** do not estimate a fiscal impact resulting from this section of the proposal. However, if the Division of Labor Standards determines the legislation will create additional investigations, additional staff and supplies may be needed to assist with the increased workload.

Oversight assumes if a fiscal impact were to result, funds to support the program would be sought through the appropriations process

Officials from the **Office of Attorney General** and **Office of Administration - Administrative Hearing Commission** did not respond to a request for fiscal note; however, **Oversight** assumes that any potential costs arising from this proposal can be absorbed with existing resources. If a significant fiscal impact were to result, funds would be sought through the appropriations process.

Officials from the **Springfield Police Department** estimated staff costs could be \$10,000 annually.

Oversight assumes local law enforcement in areas with a higher influx of illegal aliens could incur costs associated with this section. **Oversight** assumes, for fiscal note purposes only, that statewide costs for local law enforcement are (Unknown - Expected to be Less than \$100,000).

SECTION 43.032

Officials from the **Department of Public Safety - Office of the Director** and **Missouri State Highway Patrol** state this section of the proposal will result in no fiscal impact.

SECTIONS 172.360, 174.130, 175.025, 178.635, 178.780, 178.785

Officials from the **Coordinating Board for Higher Education (CBH)** state this proposed legislation would not impact the Department of Higher Education. However, the impact on the colleges and universities is unknown. In an effort to prohibit illegal aliens from gaining entry into higher education institutions, this proposal may result in institutions implementing new monitoring and admissions requirements. The costs of any such new procedures are unknown.

Officials from the **University of Missouri, Missouri State University, and Lincoln University**

ASSUMPTION (continued)

state this proposal will have no fiscal impact on their respective institutions. **Missouri State University** stated they currently do review status on all students. This proposal would only involve generating an additional report to send to the state.

In response to similar legislation from this session (HB 1864), officials from **St. Louis Community College, Metropolitan Community College, and Linn State Technical College** assume this proposal would have no significant fiscal impact on their organizations.

Officials from **Truman State University** state this proposal would result in additional administrative costs but are unable to determine those costs without details on how the certification requirements for universities would be implemented.

Officials from **Central Missouri State University** assume this proposal will cost CMSU additional staff time of approximately \$20,000 annually.

Oversight assumes, based on responses from other institutions, that compliance with this proposed legislation will not be burdensome to any one institution.

SECTION 208.009

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 **Department of Social Services - Division of Legal Services and Family Support Division** state this proposal will have no fiscal impact on their agencies.

In response to the introduced version of this proposal, officials from the **Department of Social Services - Division of Youth Services, Children's Division, and Division of Medical Services** stated this proposal would not have a fiscal impact on the above referenced divisions.

SECTION 590.700

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

<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
---	---------	---------	---------

Local Law Enforcement
Cost - Alien verification (Section
 544.677)

(Unknown- Expected to be Less than <u>\$100,000</u>)	(Unknown- Expected to be Less than <u>\$100,000</u>)	(Unknown- Expected to be Less than <u>\$100,000</u>)
--	--	--

**ESTIMATED NET EFFECT ON
 LOCAL LAW ENFORCEMENT**

<u>(Unknown- Expected to be Less than \$100,000)</u>	<u>(Unknown- Expected to be Less than \$100,000)</u>	<u>(Unknown- Expected to be Less than \$100,000)</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 34.077

Any employer who employs any undocumented worker shall be prohibited from entering into a contract as, or performing work as, a contractor or subcontractor on a project governed by a public works contract.

Any entity that is found to have knowingly employed an undocumented worker at any time during the period said entity was under contract on a project governed by a public works contract, in violation of this section, shall be ineligible to work on any project governed by a public works contract for three years following such determination. An entity may appeal such determination with the administrative hearing commission.

The Attorney General is authorized to take all necessary action to enforce the provisions of this

DESCRIPTION (continued)

section, including, but not limited to, obtaining an order for injunction from a court of competent jurisdiction.

SECTION 43.032

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

SECTIONS 172.360, 174.130, 175.025, 178.635, 178.780, 178.785

These sections prohibit the admission of unlawfully present aliens to public institutions of higher education. The registrar of each institution must certify to the appropriations committees of the General Assembly that the institution has not knowingly admitted any illegal alien in the preceding year before the approval of any appropriations.

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 is lawfully present in the United States.

An applicant who cannot provide the proof required under this proposal 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.

DESCRIPTION (continued)

SECTION 285.025

An employer who employs illegal aliens would not be eligible for a loan from any governing body in this state.

SECTION 544.677

When any person is charged with a felony and confined for any period of time in a county jail, municipal jail, or regional jail, a reasonable effort shall be made by the jailer to determine whether or not such person is a citizen of the United States. If the jailer reasonably believes that such person is not a citizen of the United States, he or she shall make a reasonable effort to verify that such person has been lawfully admitted to the United States, and if lawfully admitted, that such lawful status has not expired. If verification of the person's lawful status cannot be made from documents in his or her possession, verification shall be made within forty-eight hours through a query to the United States Department of Homeland Security. If it is determined that the person being confined is not lawfully within the United States, the jailer or an employee of the jailer shall notify the United States Department of Homeland Security.

SECTION 590.700

Peace officers are authorized to investigate, apprehend, or detain 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 transfer such individuals to the custody of the Bureau of Customs and Immigration Enforcement of the United States Department of Homeland Security and 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

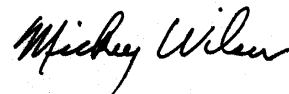
Department of Social Services
 Division of Youth Services
 Children's Division
 Division of Legal Services
 Division of Medical Services
 Family Support Division
Department of Health and Senior Services

SOURCES OF INFORMATION (continued)

Department of Labor and Industrial Relations
Office of the Governor
Office of Secretary of State
 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
Local Law Enforcement
 Springfield Police Department
 Boone County Sheriff's Department
 Platte County Sheriff's Department
Colleges and Universities
 University of Missouri
 Lincoln University
 Central Missouri State University
 Missouri State University
 Truman State University
 St. Louis Community College
 Metropolitan Community College
 Linn State Technical College

NOT RESPONDING

Office of Attorney General
Office of Administration
 Administrative Hearing Commission



Mickey Wilson, CPA
Director
April 25, 2006