

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3511-03  
Bill No.: SB 713  
Subject: Liability; Education, Elementary and Secondary; Elementary and Secondary  
 Education Department  
Type: Original  
Date: January 14, 2008

Bill Summary: Grants civil immunity to certain Department of Elementary and Secondary Education and school district employees under certain conditions. The State Legal Expense Fund shall cover costs for school districts and employees in such actions.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
<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 2008	FY 2009	FY 2010
<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 5 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2008</b>	<b>FY 2009</b>	<b>FY 2010</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 2008</b>	<b>FY 2009</b>	<b>FY 2010</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

- Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).
- Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2008</b>	<b>FY 2009</b>	<b>FY 2010</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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## **FISCAL ANALYSIS**

### ASSUMPTION

Officials from the **Office of State Courts Administrator** state this proposal has no fiscal impact on the Courts.

Officials from the **Department of Insurance, Finance, and Professional Regulation, Office of Administration - Personnel Division**, and the **Office of Administration - Administrative Hearing Commission** state this proposal will have no fiscal impact on their respective agencies.

Officials from the **Office of Attorney General** assume that any potential costs arising from this proposal can be absorbed with existing resources.

Officials from the **Office of 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 to the SOS office for Administrative Rules for this proposal is less than \$2,500. 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 **Department of Elementary and Secondary Education** assume this proposal would expand the scope of the State Legal Expense Fund, so far as it applies to local school officials. The increased call on the fund's resources for legal representation would be based upon the number of actions filed.

Officials from the **Office of Administration - Risk Management** assume the only exposure to the State Legal Expense Fund is the cost of defense. The proposed legislation has the potential for costs that cannot be determined at this time.

**Oversight** assumes that if an increase in the number of actions filed results in a significant amount of payments from the State Legal Defense Fund, an increase in appropriation would be requested through the budget process.

ASSUMPTION (continued)

Officials from the **Frances Howell School District** assume the proposed legislation would have a positive (although difficult to calculate) impact on school districts, since the Legal Defense Fund would protect school districts from certain legal costs.

Officials from the **Marshfield Public School District** state this proposal would have no known fiscal impact on their district.

<u>FISCAL IMPACT - State Government</u>	FY 2008 (10 Mo.)	FY 2009	FY 2010
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2008 (10 Mo.)	FY 2009	FY 2010
	<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.

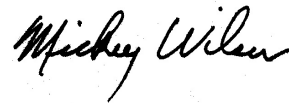
FISCAL DESCRIPTION

The proposed legislation appears to have no fiscal impact.

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 Attorney General  
Office of Administration  
    Risk Management  
    Administrative Hearing Commission  
    Personnel Division  
Office of State Courts Administrator  
Department of Elementary and Secondary Education  
Department of Insurance, Finance, and Professional Regulation  
Office of Secretary of State  
    Administrative Rules Division  
School Districts  
    Marshfield  
    Frances Howell



Mickey Wilson, CPA  
Director  
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