

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1561-04
Bill No.: HCS for SCS for SB 341
Subject: Children and Minors; Social Services Department; Crimes and Punishment
Type: Original
Date: April 28, 2015

Bill Summary: This proposal changes the laws regarding the protection of vulnerable persons.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
General Revenue	(\$102,025)	(\$72,305)	(\$84,220)
Total Estimated Net Effect on General Revenue	(\$102,025)	(\$72,305)	(\$84,220)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 7 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Total Estimated Net Effect on FTE	0	0	0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§37.719 - Independent Reviews

Officials at the **Office of Administration (OA)**, **Office of Child Advocate (OCA)** assume section 37.719 would expand their office as it would give them authority to conduct a review of any entity within a county including the Children's Division, juvenile office or guardian ad litem. The OCA would need two additional investigators at \$60,000 each, annually, plus benefits and related expenses of \$5,830. It is assumed this FTE would require extensive experience working with the Children's Division, Juvenile Officers and the Courts.

Total costs to the General Revenue Fund are estimated to be \$157,835 for FY 2016; \$184,230 for FY 2017; and \$186,072 for FY 2018.

Oversight assumes the proposal could have an unknown fiscal impact on the Office of Child Advocate if it decides to audit a judicial circuit that has three or more review requests in a fiscal year. However, since the bill is permissive Oversight assumes the proposal will have no fiscal impact.

§160.975 - Posting of Child Abuse and Neglect Hotline Number

Officials from the **Department of Social Services (DSS)**, **Children's Division (CD)** state Section 160.975 requires all public and charter schools to clearly post the number for the Child Abuse and Neglect Hotline.

In subsection 3, this bill requires the Children's Division to come up with an acronym to help children remember the toll free number. This may require adding the acronym to training and promotional materials, but this could be done as reprinting is required.

If the CD is responsible for creating, printing and mailing posters to the public and charter schools, the below cost estimates are assumed based upon similar activities done at the School Violence Hotline SVH:

568 Public School Districts + 37 Charter Schools = 605 Total Schools
Number of posters per school district based upon experience of SVH = 1,000

Total Posters 605,000 x .09 per poster (state printing cost) = \$54,450

Mailing Costs = 605 school districts x 3 priority mailing boxes = 1,815 boxes x \$44.95 per box = \$81,584. <http://postcalc.usps.com/>

Total cost **\$136,034** Split 75% GR; 25% Federal

It is assumed approximately 40% of the posters will be replaced annually.

ASSUMPTION (continued)

In subsection 4, the bill allows the CD to promulgate rules to administer the provisions of this legislation.

Officials from the **Division of Youth Services** and the **Division of Legal Services** do not anticipate a fiscal impact as a result of this legislation.

§§455.010 - 455.538 - Orders of Protection

Officials from the **Department of Corrections (DOC)** state the penalty provision component of this bill resulting in potential fiscal impact for DOC, is for up to a class A misdemeanor. Based upon historical data, the DOC assumes that up to 4 offenders may be sentenced to probation under this new legislation. It is assumed that all of the offenders would be supervised. The average probation time served for these types of sex offenses is 3 years. The FY 2014 average cost of supervision is \$6.72 per offender per day or an annual cost of \$2,453 per offender.

Supervision by the DOC would likely result in additional costs for each additional offender sentenced under this legislation as indicated below. Costs include a 2% inflation factor.

2016 (10 months)	\$8,177
2017	\$20,016
2018	\$30,625
2019	\$31,238
2020	\$31,862
2021	\$32,500
2022	\$33,150
2023	\$33,813
2024	\$34,489
2025	\$35,179

Oversight assumes the DOC could absorb the minimal costs that would be incurred in FY 2016.

The **DSS** states these provisions of the bill modifies the provisions that pertain to orders of protection, by adding sexual assault to those provisions and by modifying the definition of sexual assault, by adding “or without that person’s consent” and adding sexual assault to the definition of “petitioner”.

The CD, DYS and DLS do not anticipate a fiscal impact as a result of this legislation.

ASSUMPTION (continued)

Bill as a Whole

Officials from the **Department of Elementary and Secondary Education**, the **Department of Health and Senior Services**, the **Department of Public Safety**, **Missouri State Highway Patrol**, the **Missouri Office of Prosecution Services**, the **Office of State Courts Administrator**, the **Office of State Public Defender**, **Carondelet Leadership Academy** and the **Special School District of St. Louis** each assume the proposal would not fiscally impact their respective agencies.

In response to the previous version of this proposal, officials from the **Joint Committee on Administrative Rules** assumed the proposal would not fiscally impact their agency.

In response to the previous version of this proposal, officials from the **Office of Secretary of State (SOS)** stated 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 fiscal note to the SOS for Administrative Rules is less than \$2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with the core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process.

<u>FISCAL IMPACT - State Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
GENERAL REVENUE FUND			
<u>Costs - DSS-CD (\$160.975)</u>			
Printing and postage	(\$102,025)	(\$52,289)	(\$53,595)
<u>Costs - DOC (\$455.010 - 455.538)</u>			
Increase in supervision costs	<u>\$0</u>	<u>(\$20,016)</u>	<u>(\$30,625)</u>
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>(\$102,025)</u>	<u>(\$72,305)</u>	<u>(\$84,220)</u>

<u>FISCAL IMPACT - State Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
FEDERAL FUNDS			
<u>Income</u> - DSS-CD (\$160.975)			
Reimbursement for printing and postage expenditures	\$34,009	\$17,430	\$17,865
<u>Costs</u> - DSS-CD (\$160.975)			
Printing and postage expenditures	<u>(\$34,009)</u>	<u>(\$17,430)</u>	<u>(\$17,865)</u>
ESTIMATED NET EFFECT ON FEDERAL FUNDS	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
	<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

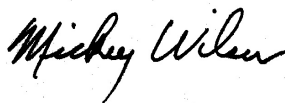
Each public school and charter school shall post in a clearly visible location in a public area of the school that is readily accessible to students a sign in English and in Spanish that contains the toll-free child abuse and neglect hotline number established by the Children’s Division. In addition, each school shall post signs containing the same information in all student restrooms in the school. The information is to be presented on a poster at least 11 inches by 17 inches in size, contain large print, and be placed at eye level to the student. The hotline number is to be displayed in bold print and the sign is to contain instructions to call 911 for emergencies and directions for accessing the children’s division website for more information on reporting abuse, neglect, and exploitation. In addition, the children’s division is to create an acronym to help children remember the toll-free hotline number. (§160.975)

Provides that sexual assault shall be a class A misdemeanor. (§§ 455.010 - 455.538)

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 Elementary and Secondary Education
Department of Health and Senior Services
Department of Corrections
Department of Public Safety -
 Missouri State Highway Patrol
Department of Social Services -
 Children's Division
 Division of Youth Services
 Division of Legal Services
Office of Administration -
 Information Technology Services Division
 Office of Child Advocate
Joint Committee on Administrative Rules
Missouri Office of Prosecution Services
Office of State Courts Administrator
Office of Secretary of State
Office of State Public Defender
Carondelet Leadership Academy
Special School District of St. Louis



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