

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1771-02
Bill No.: Perfected SB 433
Subject: Compacts; Constitutional Amendments; Federal - State Relations
Type: Original
Date: April 22, 2015

Bill Summary: This proposal adopts the Compact for a Balanced Budget.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
General Revenue	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
Total Estimated Net Effect on General Revenue	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

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 5 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

Officials from the **Office of the State Auditor**, the **Missouri House of Representatives**, the **Office of Administration**, the **Office of the Governor** and the **Missouri Senate** each assume the proposal will have no fiscal impact on their respective organizations.

Officials from the **Attorney General’s Office (AGO)** state Article X, Section 3 of the proposal states that the chief law enforcement officer of each member state is empowered to defend the Compact from any legal challenge as well as to seek civil mandatory and prohibitory injunctive relief. Section 4 of the Article states that the venue for any litigation shall be in the federal court in the State of Texas. The AGO assumes that costs can be absorbed with existing resources. However, the AGO may seek additional appropriations if the workload and expenses such as travel increase significantly as the result of the proposal.

Oversight assumes this proposal would require the state of Missouri to fund the Commission and the Compact Administrator’s activities if not paid for by voluntary donations. Oversight also assumes only the first three states agreeing to be bound by the Compact may appoint a member to the commission. Oversight will range the fiscal impact as \$0 (if Missouri is not one of the first three states to agree to the compact) or unknown (since the expense of the Commission and the amount of volunteer donations is unknown). For fiscal note purposes, Oversight assumes these expenses will come out of the General Revenue Fund.

Senate Amendment 1 and Senate Substitute Amendment for Senate Amendment 1

Oversight assumes the amendments will have no fiscal impact on state or local governments.

<u>FISCAL IMPACT - State Government</u>	FY 2016	FY 2017	FY 2018
GENERAL REVENUE			
<u>Cost</u> - Compact for a Balanced Budget Commission	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2016	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

This act adopts the Compact for a Balanced Budget in Missouri. The goal of the compact is the adoption of the Balanced Budget Amendment to the United States Constitution.

Once three-fourths of the state have adopted the compact, the legislatures of the member states will be deemed to have called for a convention under Article V of the United States Constitution to propose amendments. Delegates to the convention will be appointed by the Governors of each state. Delegates are limited in their authority to only debating and ratifying the Balanced Budget Amendment.

After the constitutional convention has adopted the Balanced Budget Amendment and Congress has referred the amendment to the state legislatures for ratification, each member state to the compact will be deemed to have ratified the amendment.

The Balanced Budget Amendment limits federal spending to revenue received by the federal government plus amounts borrowed under the debt limit. A debt limit is established which will be equal to 105% of the federal debt at the time of ratification of the amendment. The debt limit may be increased, but only for specific line items which must be approved by a majority of the state legislatures. When outstanding debt exceeds 98% of the debt limit, the President shall impound expenditures in an amount to keep debt below the limit. Congress may override an impoundments by designating a different impoundment.

The Balanced Budget Amendment would prohibit any new or increased taxes from being passed by Congress unless approved by two-thirds of the entire body of each chamber of Congress. This prohibition would not apply to a replacement of the income tax with a new sales tax or to a limitation on any tax exemption, deduction, or credit.

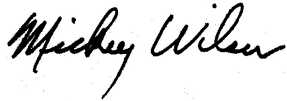
This act contains an emergency clause.

FISCAL DESCRIPTION (continued)

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 State Auditor
Missouri Senate
Attorney General's Office
Office of Administration
Office of the Governor
Missouri House of Representatives



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Director
April 22, 2015

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Assistant Director
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