

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 5047-01  
Bill No.: SB 662  
Subject: Compacts; Constitutional Amendments; Federal - State Relations  
Type: Original  
Date: December 29, 2015

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

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
General Revenue	\$0 or (Less than \$100,000)	\$0 or (Less than \$100,000)	\$0 or (Less than \$100,000)
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0 or (Less than \$100,000)</b>	<b>\$0 or (Less than \$100,000)</b>	<b>\$0 or (Less than \$100,000)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
<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 2017</b>	<b>FY 2018</b>	<b>FY 2019</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 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

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

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Attorney General's Office (AGO)** state 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.

Officials from the **Missouri House of Representatives** assume any potential cost arising from this proposal can be absorbed with existing resources.

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

**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 "Less than \$100,000" (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.

FISCAL IMPACT - State Government                      FY 2017                      FY 2018                      FY 2019

**GENERAL REVENUE**

<u>Cost - Compact for a Balanced Budget Commission</u>	\$0 or (Less than <u>\$100,000</u> )	\$0 or (Less than <u>\$100,000</u> )	\$0 or (Less than <u>\$100,000</u> )
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<b>ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND</b>	<b><u>\$0 or (Less than \$100,000)</u></b>	<b><u>\$0 or (Less than \$100,000)</u></b>	<b><u>\$0 or (Less than \$100,000)</u></b>
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FISCAL IMPACT - Local Government                      FY 2017                      FY 2018                      FY 2019

	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
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FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

This proposal 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 the Governor, Speaker of the House, and President Pro Tem of the Senate of each state, or their designee. 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.

FISCAL DESCRIPTION (continued)

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.

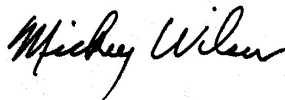
The Balanced Budget Amendment would prohibit any new or increased taxes from being passed by Congress unless approved by two-thirds of the entire body of each chamber of Congress. This prohibition would not apply to a replacement of the income tax with a new sales tax or to a limitation on any tax exemption,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

This proposal contains an emergency clause.

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

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



Mickey Wilson, CPA  
Director  
December 29, 2015

Ross Strope  
Assistant Director  
December 29, 2015