

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 2117-01  
Bill No.: SB 468  
Subject: Administrative Rules; State Departments  
Type: Original  
Date: March 10, 2017

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Bill Summary: This proposal modifies the process for promulgation of an emergency rule by a state agency.

**FISCAL SUMMARY**

| <b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>  |                   |            |            |
|--|-------------------|------------|------------|
| FUND AFFECTED  | FY 2018           | FY 2019    | FY 2020    |
| General Revenue                                      | (\$16,712)        | \$0        | \$0        |
| <b>Total Estimated Net Effect on General Revenue</b> | <b>(\$16,712)</b> | <b>\$0</b> | <b>\$0</b> |

| <b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>              |            |            |            |
|---|------------|------------|------------|
| FUND AFFECTED   | FY 2018    | FY 2019    | FY 2020    |
|   |            |            |            |
|   |            |            |            |
| <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 6 pages.

| <b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>                  |                |                |                |
|---|----------------|----------------|----------------|
| <b>FUND AFFECTED</b>  | <b>FY 2018</b> | <b>FY 2019</b> | <b>FY 2020</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 2018</b> | <b>FY 2019</b> | <b>FY 2020</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 2018</b> | <b>FY 2019</b> | <b>FY 2020</b> |
| <b>Local Government</b>                    | <b>\$0</b>     | <b>\$0</b>     | <b>\$0</b>     |

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Office of the Secretary of State (SOS)** assume this proposal would require that the SOS develop new information for the SOS page for emergency rules to list emergency rules filed as soon as practicable and develop an email notification process to notify anyone who signs up to be notified of such rules. SOS would also now publish fiscal notes for emergency rules along with the emergency rule. We estimate that this change would result in an additional 160 pages being printed in the Missouri Register at a cost of \$23 per page. IT SOS development cost of \$16,712 to rebuild the e-mail notification system will also be required.

**Oversight** assumes SOS is provided with core funding to handle a certain amount of activity each year. Oversight assumes SOS could absorb some of the costs related to this proposal; therefore, Oversight will reflect a fiscal impact of \$16,712 for IT services in FY 2018.

Officials from the **Department of Social Services, Department of Transportation, Department of Revenue, Department of Economic Development, Department of Corrections, Department of Health and Senior Services, Department of Mental Health, Office of Administration - Budget and Planning, Missouri Senate, Department of Natural Resources, Department of Higher Education, Department of Insurance, Financial Institutions and Professional Registration, Missouri Ethics Commission, Office of the State Courts Administrator, Office of the State Treasurer, Capitol Police, Department of Public Safety - Missouri Highway Patrol, Missouri House of Representatives, Department of Elementary and Secondary Education, Department of Public Safety - Division of Alcohol and Tobacco Control, Missouri Lieutenant Governor, Office of Prosecution Services, Office of the State Public Defender, Department of Agriculture, Missouri Veterans Commission, Missouri Department of Conservation, Department of Public Safety - Division of Fire Safety, Office of the Governor, Office of Administration, Administrative Hearing Commission, Missouri Gaming Commission, Lottery, Joint Committee on Public Employee Retirement, State Tax Commission and Missouri Consolidated Health Care Plan** each assume the proposal will have no fiscal impact on their respective organizations.

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

Officials from the **Joint Committee on Administrative Rules** state that the proposal is not anticipated to cause a fiscal impact to their agency beyond its current appropriation.

| <u>FISCAL IMPACT - State Government</u>                     | FY 2018<br>(10 Mo.)      | FY 2019           | FY 2020           |
|---|--------------------------|-------------------|-------------------|
| <b>GENERAL REVENUE FUND</b>                                 |                          |                   |                   |
| <u>Cost - SOS - IT services</u>                             | <u>(\$16,712)</u>        | <u>\$0</u>        | <u>\$0</u>        |
| <b>ESTIMATED NET EFFECT ON THE<br/>GENERAL REVENUE FUND</b> | <b><u>(\$16,712)</u></b> | <b><u>\$0</u></b> | <b><u>\$0</u></b> |
| <br><u>FISCAL IMPACT - Local Government</u>                 | <br>FY 2018<br>(10 Mo.)  | <br>FY 2019       | <br>FY 2020       |
|   | <b><u>\$0</u></b>        | <b><u>\$0</u></b> | <b><u>\$0</u></b> |

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

This act requires any state agency that promulgates an emergency rule to complete a fiscal note if such rule would require an expenditure of public funds or an expenditure by a private entity. Such fiscal note shall be filed with the Secretary of State and the Joint Committee on Administrative Rules prior to the adoption of the rule. As soon as practicable after an agency files an emergency rule, the Secretary of State shall publish certain materials related to the rule in the Missouri Register, email such materials to persons who have registered to be notified of the agency's actions, and publish such materials on the Secretary of State's website.

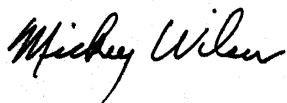
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the Secretary of State  
State Auditor's Office  
Joint Committee on Administrative Rules  
Department of Social Services  
Department of Transportation  
Department of Revenue

SOURCES OF INFORMATION (continued)

Department of Economic Development  
Department of Corrections  
Department of Health and Senior Services  
Department of Mental Health  
Office of Administration - Budget and Planning  
Missouri Senate  
Department of Natural Resources  
Department of Higher Education  
Department of Insurance, Financial Institutions and Professional Registration  
Missouri Ethics Commission  
Office of the State Courts Administrator  
Office of the State Treasurer  
Capitol Police  
Department of Public Safety - Missouri Highway Patrol  
Missouri House of Representatives  
Department of Elementary and Secondary Education  
Department of Public Safety - Division of Alcohol and Tobacco Control  
Missouri Lieutenant Governor  
Office of Prosecution Services  
Office of the State Public Defender  
Department of Agriculture  
Missouri Veterans Commission  
Missouri Department of Conservation  
Department of Public Safety - Division of Fire Safety  
Office of the Governor  
Office of Administration  
Administrative Hearing Commission  
Missouri Gaming Commission  
Lottery  
Joint Committee on Public Employee Retirement  
State Tax Commission  
Missouri Consolidated Health Care Plan



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