

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4708-01  
Bill No.: SB 739  
Subject: Attorney General; Domestic Relations; Employees-Employers; Health Care;  
 Department of Labor and Industrial Relations  
Type: Original  
Date: February 20, 2018

Bill Summary: This proposal creates a right to unpaid leave for employees that are affected by domestic violence.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
General Revenue Fund	(Unknown)	(Unknown)	(Unknown)
<b>Total Estimated Net Effect on General Revenue</b>	<b>(Unknown)</b>	<b>(Unknown)</b>	<b>(Unknown)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
Various	(Unknown)	(Unknown)	(Unknown)
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>(Unknown)</b>	<b>(Unknown)</b>	<b>(Unknown)</b>

Numbers within parentheses: ( ) indicate costs or losses.  
 This fiscal note contains 10 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</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 2019</b>	<b>FY 2020</b>	<b>FY 2021</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 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
<b>Local Government</b>	<b>(Unknown)</b>	<b>(Unknown)</b>	<b>(Unknown)</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Office of Administration-Personnel (OA-Personnel)** assume any costs associated with this proposal can be absorbed.

This proposal would have some impact on the Personnel Advisory Board and the Division of Personnel. Administrative rules regarding state employee leave may need to be updated to incorporate this type of absence as allowed in regard to granting leave without pay or approving the use of other types of leave. OA would have to ensure agencies were made aware of this legislation and the new leave event code to be utilized when granting this leave. Additionally, new programming and leave tracking procedures would need to be adopted and implemented in order to track this leave event, although costs could be absorbed.

The proposal enables an employee who is the victim, family or household member impacted by domestic violence to retain their health benefits when they go off payroll, which is a cost to the employer. There would also be loss of productivity for that time necessary for the employee to be off work. Depending upon the work involved and the employee's job duties, state agencies may need to assess the situation immediately and develop contingency plans to cover work load as necessary. This may require hiring temporary employees or requiring co-workers to work overtime to cover the work.

Officials from the **Office of Administration-Budget and Planning, Department of Economic Development, Department of Natural Resources, Department of Corrections, Department of Public Safety-Division of Alcohol and Tobacco Control, Department of Elementary and Secondary Education, and Department of Public Safety-Veterans** each defer to the Office of Administration to estimate the fiscal impact of the proposed legislation on their respective organization.

Officials from the **Department of Public Safety-Missouri State Highway Patrol** assume fiscal implications are not able to be estimated. To do so would require a poll of current employees, who have had any experience with domestic violence within the past year. Once established, lost productivity, costs for accommodations, and sustainment of benefits would have to be projected. Any revelation of domestic violence by an employee would be investigated and resultant evidence used to support a criminal case if determined to be a violation of law.

Officials from the **Office of State Courts Administrator** assume since the legislation is permissive, we have no way of knowing how many employees would be taking unpaid leave. Although, there should be no cost, it is possible production could go down. If there is any

ASSUMPTION (continued)

significant increase in workload it will be reflected in future budget requests.

Officials from the **Department of Agriculture** does not anticipate any fiscal impact as a result of the proposal. However, the Department of Agriculture does not currently collect information on employees or members of their household who are victims of domestic violence or human trafficking. Without this information, Department of Agriculture is unable to accurately determine the financial burden this may put on the organization.

Officials from the **Office of Prosecution Services** assume the proposal will have no measurable fiscal impact on their organization.

Officials from the **City of Kansas City** assume the proposal will have a negative fiscal impact on their organization.

Officials from the **Missouri State University** assume the proposal will have a negative indirect fiscal impact on their organization.

Officials from the **State Technical College of Missouri** assume the proposal will have an unknown negative fiscal impact on their organization.

Officials from the **University of Central Missouri** assume as this is an unpaid leave, there is no immediate fiscal impact outside what the University currently absorbs if the employee chooses to use accrued time as a compensation method for said leave.

Officials from the **Osage R2 School District** assume the proposal would have cost in order to cover employee's position with a substitute. There would be a loss of rate of employee paid to a substitute at \$80 per day for unpaid leave.

Officials from the **Summersville R2 School District** assume the only fiscal impact would be paying for substitutes for replacing individuals taking leave under the proposal.

Officials from the **Forsyth R-III Schools** assume the proposal would have an unknown fiscal impact on their organization.

**Oversight** will show this proposal will have an unknown negative fiscal impact to state government and local political subdivisions because the number of leave hours taken without pay due to domestic violence has not been specifically tracked.

ASSUMPTION (continued)

Officials from the **Department of Labor and Industrial Relations, Department of Transportation, Missouri Department of Conservation, Office of the State Public Defender, Attorney General's Office, Department of Revenue, Office of Administration-Administrative Hearing Commission, Missouri Lieutenant Governor, Missouri Senate, Missouri Tax Commission, MoDOT and Patrol Employees Retirement System, Joint Committee on Administrative Rules, Department of Public Safety-Missouri Gaming Commission, Office of the State Treasurer, Missouri Lottery Commission, Department of Public Safety-Capitol Police, Department of Public Safety-Division of Fire Safety, Missouri Consolidated Health Care Plan, Missouri Ethics Commission, Missouri House of Representatives, Department of Public Safety-State Emergency Management Agency, Department of Insurance, Financial Institutions and Professional Registration, Department of Higher Education, Department of Health and Senior Services, Office of the Secretary of State, Department of Social Services, State Auditor's Office, Department of Public Safety-Office of the Adjutant General, Department of Mental Health, and Department of Public Safety-Office of the Director** each assume the proposal will have no fiscal impact on their respective organizations.

Officials from the **Lincoln County Clerk's Office, Jackson County Board of Election Commissioners, St. Louis County Board of Election Commissioners, St. Louis County, and Boone County** each assume the proposal will have no fiscal impact on their respective organizations.

Officials from the **Missouri Western State University** and **University of Missouri** both assume the proposal will have no fiscal impact on their respective organizations.

Officials from the **Kirkville R-III School District** and **West Plains Schools** both assume the proposal will have no fiscal impact on their respective organizations.

Officials from the Office of the Governor, Bi-State Development, and Missouri State Employees' Retirement System did not respond to **Oversight's** request for fiscal impact.

Officials from the following **cities**: Ashland, Belton, Bernie, Bonne Terre, Boonville, California, Cape Girardeau, Clayton, Columbia, Dardenne Prairie, Excelsior Springs, Florissant, Frontenac, Fulton, Grandview, Harrisonville, Independence, Jefferson City, Joplin, Kearney, Knob Noster, Ladue, Lake Ozark City, Lee Summit, Liberty, Louisiana, Maryland Heights, Maryville, Mexico, Monett, Neosho, O'Fallon, Peculiar, Pineville, Popular Bluff, Raytown, Republic, Richmond, Rolla, Sedalia, Springfield, St. Charles City Administrator, St. Louis City Budget Division, St.

ASSUMPTION (continued)

Robert, Sugar Creek, Sullivan, Warrensburg, Warrenton, Webb City, Weldon Spring and West Plains did not respond to **Oversight's** request for fiscal impact.

Officials from the following **counties**: Andrew, Atchison, Audrain, Barry, Benton, Bollinger, Buchanan, Callaway, Camden, Cape Girardeau, Carroll, Cass, Christian, Clay, Clinton, Cole, Cooper, Davies, Dekalb, Dent, Franklin, Greene, Holt, Jefferson, Johnson, Knox, Laclede, Lawrence, Maries, Marion, McDonald, Miller, Moniteau, Monroe, Montgomery, New Madrid, Nodaway, Ozark, Perry, Pettis, Platte, Pulaski, Scott, St. Charles, St. Francois, Taney, Warren, Wayne, and Worth did not respond to **Oversight's** request for fiscal impact.

Officials from the following **colleges and universities**: Crowder, East Central, Harris-Stowe, Jefferson College, Kansas City Metropolitan Community College, Lincoln University, Moberly Area Community College, Missouri Southern State University, Northwest Missouri State University, Southeast Missouri State University, State Fair Community College, St. Charles Community College, St. Louis Community College, Three Rivers Community College, and Truman State University did not respond to **Oversight's** request for a statement of fiscal impact.

Officials from the following **school districts**: Alton R-IV, Arcadia Valley R-2, Ash Grove R-IV, Ava R-1, Avilla R-13, Bakersfield R-4, Belton School District #124, Benton County R-2, Bismark R-5, Bloomfield R-14, Blue Springs, Bolivar R-I, Bowling Green R-1, Bradleyville R-1, Branson, Brentwood, Bronaugh R-7, Campbell R-2, Carrollton R-7, Caruthersville, Central R-III, Chilhowee R-4, Chillicothe R-II, Clarkton C-4, Cole R-I, Columbia, Concordia R-2, Couch R-1, Crawford County R-1, Crawford County R-2, Crocker R-II, Delta C-7, East Carter R-2, East Lynne 40, East Newton R-6, Eldon R-I, Fair Play, Fayette R-3, Fox C-6, Fredericktown R-I, Fulton, Gasconade County R-1, Glenwood R-8, Grain Valley, Green City R-1, Green Ridge R-8, Hallsville R-IV, Hancock Place, Hannibal School District #60, Harrisonburg R-8, Harrisonville, Hartville R-11, Hazelwood, Henry County R-1, Hillsboro R-3, Holcomb R-III, Hollister R-5, Humansville R-4, Hurley R-1, Independence, Jasper R-5, Jefferson City, Kansas City, Kennett #39, King City R-1, Kirbyville R-VI, Lathrop R-2, Lee Summit, Leeton R-10, Lewis County C-1, Liberty, Lincoln R-2, Lindbergh, Lonedell R-14, Macon County R-1, Macon County R-IV, Madison C-3, Malta Bend, Maplewood Richmond Heights, Marshfield R-1, Maryville R-II, Maysville R-1, Meadville R-IV, Mehville School District R-9, Meramec Valley R-3, Mexico, Middle Grove C-1, Midway R-1, Milan C-2, Miller R-11, Moberly, Montgomery County R-11, Morgan County R-2, Mountain Grove R-III, Mt. Vernon R-V, New Bloomfield R-III, New Haven, Niangua R-5, Nixa, North Harrison R-3, North Kansas City, North St. Francois Co. R-1, Northeast Nodaway R-5, Northwest R-1, Oak Ridge R-6, Odessa R-VII, Oregon-Howell R-III, Orrick R-11, Osage County, Osborn R-O, Parkway, Pattonville, Pettis County R-12, Pierce City R-6, Plato R-5, Polo R-VII, Prairie Home R-5, Princeton R-5, Purdy R-II, Raymore-Peculiar R-

ASSUMPTION (continued)

III, Raytown, Reeds Springs R-IV, Renick R-5, Republic R-III, Rich Hill R-IV, Richards R-5, Richland R-1, Richmond R-XVI, Riverview Gardens, Rockwood School District, Salisbury R-4, Sarcoxie R-2, Scotland County R-I, Scott City R-1, Sedalia, Seymour R-2, Shell Knob #78, Sherwood Cass R-5, Sikeston, Silex, Smithville R-2, South Harrison R-11, Southland C-9, Sparta R-III, Special School District of St. Louis County, Spickard R-II, Spokane R-VII, Springfield, St Joseph, St Louis, St. Charles, St. Elizabeth R-4, Stanberry R-III, Stewartville C-2, Sullivan, Sweet Springs, Trenton R-1x, Valley Park, Valley R-6, Verona R-7, Warren County R-3, Warrensburg R-6, Warsaw R-IX, Waynesville, Webster Groves, Wellsville Middletown R-1, Wentzville R-IV, Westran R-1, Westview C-6, Willard R-2 and the Wright City R-2 School District did not respond to **Oversight's** request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2019 (10 Mo.)	FY 2020	FY 2021
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**GENERAL REVENUE FUND**

<u>Cost</u> - to implement unpaid leave for employees that are impacted by domestic violence	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>	<b><u>(Unknown)</u></b>	<b><u>(Unknown)</u></b>	<b><u>(Unknown)</u></b>
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**OTHER STATE FUNDS**

<u>Cost</u> - to implement unpaid leave for employees that are impacted by domestic violence	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>	<b><u>(Unknown)</u></b>	<b><u>(Unknown)</u></b>	<b><u>(Unknown)</u></b>
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<u>FISCAL IMPACT - Local Government</u>	FY 2019 (10 Mo.)	FY 2020	FY 2021
<b>LOCAL POLITICAL SUBDIVISIONS</b>			
<u>Cost</u> - to implement unpaid leave for employees that are impacted by domestic violence	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
<b>ESTIMATED NET EFFECT ON POLITICAL SUBDIVISIONS</b>	<b><u>(Unknown)</u></b>	<b><u>(Unknown)</u></b>	<b><u>(Unknown)</u></b>

FISCAL IMPACT - Small Business

Small businesses (15-49 employees) that implement this program (one workweek of leave for impacted employees) could be impacted.

FISCAL DESCRIPTION

The proposed legislation would allow any person employed a public or private employer with at least fifteen (15) employees is entitled to unpaid leave if the person, or a family or household member, is a victim of domestic violence, sexual assault or human trafficking.

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 Administration-Personnel  
Office of Administration-Budget and Planning  
Department of Economic Development  
Department of Natural Resources  
Department of Corrections  
Department of Public Safety-Alcohol and Tobacco Control  
Department of Public Safety-Veterans  
Department of Public Safety-Missouri State Highway Patrol  
Office of State Courts Administrator  
Office of Prosecution Services  
City of Kansas City  
Missouri State University  
State Technical College of Missouri  
University of Central Missouri  
Osage R2 School District  
Summersville R2 School District  
Forsyth R-III Schools  
Department of Labor and Industrial Relations  
Department of Transportation  
Missouri Department of Conservation  
Office of the State Public Defender  
Attorney General's Office  
Department of Revenue  
Department of Agriculture  
Office of Administration-Administrative Hearing Commission  
Missouri Lieutenant Governor  
Missouri Senate  
Missouri Tax Commission  
MoDOT and Patrol Employees Retirement System  
Joint Committee on Administrative Rules  
Department of Public Safety-Missouri Gaming Commission  
Office of the State Treasurer  
Missouri Lottery Commission  
Department of Public Safety-Capitol Police  
Department of Public Safety-Division of Fire Safety  
Missouri Consolidated Health Care Plan  
Missouri Ethics Commission

SOURCES OF INFORMATION (continued)

Missouri House of Representatives  
Department of Public Safety-Sate Emergency Management Agency  
Department of Insurance, Financial Institutions and Professional Registration  
Department of Higher Education  
Department of Health and Senior Services  
Department of Mental Health  
Department of Elementary and Secondary Education  
Office of the Secretary of State  
Department of Social Services  
State Auditor's Office  
Department of Public Safety-Office of the Adjutant General  
Department of Public Safety-Office of the Director  
Lincoln County Clerk's Office  
Jackson County Board of Election Commissioners  
St. Louis County Board of Election Commissioners  
St. Louis County  
Boone County  
Missouri Western State University  
University of Missouri  
Kirksville R-III School District  
West Plains Schools

Ross Strope



Acting Director  
February 20, 2018