

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4765-01  
Bill No.: SB 725  
Subject: Civil Rights; Higher Education; Department of Higher Education  
Type: Original  
Date: February 13, 2018

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Bill Summary: This proposal creates the “Academic Freedom and Whistleblower protection Act”.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
College & University Funds	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<b>Total Estimated Net Effect on Other State Funds</b>	<b>\$0 to (Unknown)</b>	<b>\$0 to (Unknown)</b>	<b>\$0 to (Unknown)</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 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>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **University of Missouri System** have determined that they are not able to estimate costs with certainty but anticipate it could be significant to the university.

**Oversight** will show a fiscal impact of \$0 to an unknown cost to public institutions of higher education.

Officials from the **Office of the State Courts Administrator (OSCA)** assume there may be some impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

Officials from the **State Technical College of Missouri** assume an unknown impact.

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

Officials at the following colleges: Crowder, East Central Community College, Harris-Stowe, Jefferson College, Lincoln University, Metropolitan Community College, Moberly Area Community College, Missouri Southern State University, Missouri 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, Truman State University and the University of Central Missouri did not respond to **Oversight's** request for fiscal impact.

FISCAL IMPACT - State Government                      FY 2019                      FY 2020                      FY 2021

**COLLEGE & UNIVERSITY FUNDS**

Cost - whistle-blower protection                      \$0 to                      \$0 to                      \$0 to  
 compliance                      (Unknown)                      (Unknown)                      (Unknown)

**ESTIMATED NET EFFECT ON**                      **\$0 to**                      **\$0 to**                      **\$0 to**  
**COLLEGE & UNIVERSITY FUNDS**                      **(Unknown)**                      **(Unknown)**                      **(Unknown)**

FISCAL IMPACT - Local Government                      FY 2019                      FY 2020                      FY 2021

**\$0**                      **\$0**                      **\$0**

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

This act creates the "Academic Freedom and Whistleblower Protection Act", which prohibits any public institution of higher education from creating or maintaining a policy that allows the institution to take adverse personnel action against a faculty member for certain acts of expression, as described in the act.

Any person whose rights under this act are violated may bring an action in any state court of competent jurisdiction. Such action must be filed not later than one year after the day the cause of action accrues, as described in the act.

The provisions of this act do not apply to any privately operated institution of higher education.

This act contains an emergency clause.

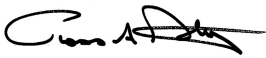
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

L.R. No. 4765-01  
Bill No. SB 725  
Page 5 of 5  
February 13, 2018

SOURCES OF INFORMATION

Office of the State Courts Administrator  
Department of Higher Education  
University of Missouri System  
Missouri Western State University  
State Technical College of Missouri

Ross Strobe

A handwritten signature in black ink, appearing to read "Ross Strobe", with a stylized flourish at the end.

Acting Director  
February 13, 2018