

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1757-01
Bill No.: SB 328
Subject: Administrative Rules; State Departments
Type: Original
Date: February 21, 2019

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

FISCAL SUMMARY

| ESTIMATED NET EFFECT ON GENERAL REVENUE FUND | | | |
|--|----------------|----------------|----------------|
| FUND AFFECTED | FY 2020 | FY 2021 | FY 2022 |
| | | | |
| Total Estimated Net Effect on General Revenue | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON OTHER STATE FUNDS | | | |
|---|----------------|----------------|----------------|
| FUND AFFECTED | FY 2020 | FY 2021 | FY 2022 |
| | | | |
| Total Estimated Net Effect on <u>Other</u> State Funds | \$0 | \$0 | \$0 |

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 7 pages.

| ESTIMATED NET EFFECT ON FEDERAL FUNDS | | | |
|---|----------------|----------------|----------------|
| FUND AFFECTED | FY 2020 | FY 2021 | FY 2022 |
| | | | |
| | | | |
| Total Estimated Net Effect on <u>All</u> Federal Funds | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE) | | | |
|---|----------------|----------------|----------------|
| FUND AFFECTED | FY 2020 | FY 2021 | FY 2022 |
| | | | |
| | | | |
| 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 2020 | FY 2021 | FY 2022 |
| Local Government | \$0 | \$0 | \$0 |

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the Secretary of State (SOS)** assume many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$5,000. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with the core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could require additional resources.

Officials from the **Joint Committee on Administrative Rules (JCAR)** state this legislation is not anticipated to cause a fiscal impact beyond its current appropriation.

Oversight assumes JCAR will be able to administer any rules resulting from this proposal with existing resources.

Officials from the **Department of Labor and Industrial Relations, Department of Economic Development, Office of the State Treasurer, Department of Public Safety-Veterans Commission, Department of Transportation, State Auditor's Office, Office of Administration-Budget and Planning, Office of Administration-Administrative Hearing Commission, Department of Public Safety-Missouri National Guard, Department of Revenue, Department of Mental Health, Department of Insurance, Financial Institutions and Professional Registration, Department of Corrections, Missouri House of Representatives, Missouri Ethics Commission, Department of Public Safety-Missouri State Highway Patrol, Department of Social Services, Department of Natural Resources, Department of Health and Senior Services, Office of the Governor, Department of Public Safety-Capitol Police, Missouri Department of Conservation, Department of Public Safety-Division of Alcohol and Tobacco Control, Department of Public Safety-Office of Director, Department of Higher Education, Attorney General's Office, Office of Administration,**

ASSUMPTION (continued)

Office of State Courts Administrator, Missouri Senate, Department of Public Safety-Gaming Commission, Department of Public Safety-Missouri State Emergency Management Agency, Missouri Tax Commission, Office of the State Public Defender, Missouri Consolidated Health Care Plan, Department of Public Safety-Fire Safety, Legislative Research, Missouri Lottery Commission, and Office of Prosecution Services each assume the proposal will have no fiscal impact on their respective organizations.

Oversight notes that the Department of Labor and Industrial Relations, Department of Economic Development, Office of the State Treasurer, Department of Public Safety-Veterans Commission, Department of Transportation, State Auditor's Office, Office of Administration-Budget and Planning, Office of Administration-Administrative Hearing Commission, Department of Public Safety-Missouri National Guard, Department of Revenue, Department of Mental Health, Department of Insurance, Financial Institutions and Professional Registration, Department of Corrections, Missouri House of Representatives, Missouri Ethics Commission, Department of Public Safety-Missouri State Highway Patrol, Department of Social Services, Department of Natural Resources, Department of Health and Senior Services, Office of the Governor, Department of Public Safety-Capitol Police, Missouri Department of Conservation, Department of Public Safety-Division of Alcohol and Tobacco Control, Department of Public Safety-Office of Director, Department of Higher Education, Attorney General's Office, Office of Administration, Office of State Courts Administrator, Missouri Senate, Department of Public Safety-Gaming Commission, Department of Public Safety-Missouri State Emergency Management Agency, Missouri Tax Commission, Office of the State Public Defender, Missouri Consolidated Health Care Plan, Department of Public Safety-Fire Safety, Legislative Research, Missouri Lottery Commission, and Office of Prosecution Services has stated the proposal would not have a direct fiscal impact on their organization. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note.

| <u>FISCAL IMPACT - State Government</u> | FY 2020 (10 Mo.) | FY 2021 | FY 2022 |
|---|---------------------|------------|------------|
| | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |

| <u>FISCAL IMPACT - Local Government</u> | FY 2020 (10 Mo.) | FY 2021 | FY 2022 |
|---|---------------------|------------|------------|
| | <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

The proposed legislation appears to have no direct fiscal impact.

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
Joint Committee on Administrative Rules
Department of Labor and Industrial Relations
Department of Economic Development
Office of the State Treasurer
Department of Public Safety-Veterans Commission
Department of Transportation
State Auditor's Office
Office of Administration-Budget and Planning
Office of Administration-Administrative Hearing Commission
Department of Public Safety-Missouri National Guard

SOURCES OF INFORMATION (continued)

Department of Revenue
Department of Mental Health
Department of Insurance, Financial Institutions and Professional Registration
Department of Corrections
Missouri House of Representatives
Missouri Ethics Commission
Department of Public Safety-Missouri State Highway Patrol
Department of Social Services
Department of Natural Resources
Department of Health and Senior Services
Office of the Governor
Department of Public Safety-Capitol Police
Missouri Department of Conservation
Department of Public Safety-Division of Alcohol and Tobacco Control
Department of Public Safety-Office of Director
Department of Higher Education
Attorney General's Office
Office of Administration
Office of State Courts Administrator
Missouri Senate
Department of Public Safety-Gaming Commission
Department of Public Safety-Missouri State Emergency Management Agency
Missouri Tax Commission
Office of the State Public Defender
Missouri Consolidated Health Care Plan
Department of Public Safety-Fire Safety
Legislative Research
Missouri Lottery Commission
Office of Prosecution Services



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