

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0738S.02I
Bill No.: SB 12
Subject: Counties; County Government; Health, Public; Health and Senior Services,
Department of; Health Care; Political Subdivisions; Religion
Type: Original
Date: January 8, 2021

Bill Summary: This proposal modifies provisions relating to public health.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
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 2022	FY 2023	FY 2024
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials at the **City of Springfield** anticipate this bill could create a negative fiscal impact of an unknown amount due to the increase in COVID-19 cases or other applicable communicable disease outbreaks that may require disease investigation/contact tracing. It is impossible to estimate how many could occur due to the wait time for a governing entity to review and determine the approval status of an order. Additionally, it is hard to determine how many cases would occur due to zero density restrictions during religious activities. Finally, there will be an increased number of cases as a result of the limitation stipulating that orders may only be applied for 30-days during a 60-day period.

Officials at the **Boone/Columbia County Health Department** assume there will be an unknown cost due to an increase in COVID-19 cases requiring disease investigation and contact tracing. It is impossible to estimate how many additional COVID-19 cases there will be as a result of wait time for the governing bodies to approve an order or not approving the order. There will also be an unknown increase in cases due to people not abiding by social distancing recommendations during religious activities. Finally, there will be increased cases as a result of orders not being in place for 30 days of a 60 day period.

Oversight notes it is currently the responsibility of local public health agencies (LPHAs) to conduct disease investigation and contact tracing regardless of whether a statewide emergency has been proclaimed by the governor. Oversight assumes that any potential costs that may be incurred as a result of this proposal would be indirect costs. Therefore, Oversight will present no fiscal impact for provisions of this proposal.

Rule Promulgation

Officials from the **Joint Committee on Administrative Rules** assume this proposal is not anticipated to cause a fiscal impact beyond its current appropriation.

Officials from the **Office of the Secretary of State** notes many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The Secretary of State's office 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 Secretary of State's office for Administrative Rules is less than \$5,000. The Secretary of State's office recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, we also recognize 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 our office can sustain with our core budget. Therefore, we reserve 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 request funding through the appropriation process.

Officials from the **Attorney General’s Office, the Office of Administration - Administrative Hearing Commission, the Office of Administration - Budget and Planning, the Department of Commerce and Insurance, the Department of Economic Development, the Department of Elementary and Secondary Education, the Department of Higher Education and Workforce Development, the Department of Health and Senior Services, the Department of Mental Health, the Department of Natural Resources, the Department of Corrections, the Department of Labor and Industrial Relations, the Department of Revenue, the Department of Public Safety - Division of Alcohol and Tobacco Control, the Capitol Police, the Division of Fire Safety, the Office of the Director, the Missouri Gaming Commission, the Missouri National Guard, the Missouri Highway Patrol, the Missouri Veterans Commission, the State Emergency Management Agency, the Department of Social Services, the Missouri Department of Agriculture, the Missouri Department of Conservation, the Missouri Ethics Commission, the Missouri Department of Transportation, the MoDOT & Patrol Employees’ Retirement System, the Petroleum Storage Tank Insurance Fund, the Office of the State Public Defender, the Missouri House of Representatives, the Joint Committee on Education, the Joint Committee on Public Employee Retirement, Legislative Research, the Oversight Division, the Missouri Senate, the Economic & Policy Analysis Research Center (EPARC), the Missouri Lottery, the Missouri Consolidated Health Care Plan, the Missouri Higher Education Loan Authority, the Missouri State Employees Retirement System, the Office of the State Courts Administrator, the Office of the Governor, the Office of the State Auditor, the Office of the State Treasurer and the State Tax Commission** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Officials from the cities of **Ballwin, Corder, Kansas City, O’Fallon and St. Louis City** and the **Newton County Health Department** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other cities, counties and county health departments were requested to respond to this proposed legislation but did not. A general listing of political subdivisions included in our database is available upon request.

<u>FISCAL IMPACT –</u> <u>State Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
	<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

This act modifies several provisions relating to public health. First, the state, any state agency, political subdivision, county commission, county health board, or person shall not enact, adopt, maintain, or enforce any order, ordinance, rule, regulation, policy, or other similar measure that imposes any greater restrictions, directly or indirectly, on the free exercise of religion, including attendance or participation in any service or meeting, during an emergency related to infectious or contagious diseases than are imposed on any nonreligious activity.

Second, no political subdivision of this state and no county health board shall make and promulgate any public health orders, ordinances, rules, or regulations during a declared state of emergency and pertaining to such state of emergency for a cumulative period longer than 30 days in a 60 day period. Nothing in these provisions shall be interpreted to otherwise alter the authority of the Department of Health and Senior Services to issue any orders, rules, and regulations affecting the political subdivision, city, or county and pertaining to the state of emergency, including for durations in excess of 30 cumulative days in a 60 day period. Additionally, no public health order issued by a political subdivision or county health board for more than 7 consecutive days at a time shall be valid unless approved by a two-thirds vote of the local governing body.

Finally, candidates for county health board of trustees' positions, under current law, are not required to run for election if the number of candidates is no greater than the number of positions to be filled. This act repeals this provision.

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

City of Springfield
 Boone/Columbia County Health Department
 Joint Committee on Administrative Rules

Office of the Secretary of State
Attorney General's Office
Office of Administration
 Administrative Hearing Commission
 Budget and Planning
Department of Commerce and Insurance
Department of Economic Development
Department of Elementary and Secondary Education
Department of Higher Education and Workforce Development
Department of Health and Senior Services
Department of Mental Health
Department of Natural Resources
Department of Corrections
Department of Labor and Industrial Relations
Department of Revenue
Department of Public Safety
 Division of Alcohol and Tobacco Control
 Capitol Police
 Fire Safety
 Office of the Director
 Missouri Gaming Commission
 Missouri National Guard
 Missouri Highway Patrol
 Missouri Veterans Commission
 State Emergency Management Agency
Department of Social Services
Missouri Department of Agriculture
Missouri Department of Conservation
Missouri Ethics Commission
Missouri Department of Transportation
MoDOT & Patrol Employees' Retirement System
Petroleum Storage Tank Insurance Fund
Office of the State Public Defender
Missouri House of Representatives
Joint Committee on Education
Joint Committee on Public Employee Retirement
Legislative Research
Oversight Division
Missouri Senate
Economic & Policy Analysis Research Center (EPARC)
Missouri Lottery
Missouri Consolidated Health Care Plan
Missouri Higher Education Loan Authority
Missouri State Employees Retirement System

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Office of the State Courts Administrator

Office of the Governor

Office of the State Auditor

Office of the State Treasurer

State Tax Commission

City of Ballwin

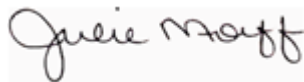
City of Corder

City of Kansas City

City of O'Fallon

St. Louis City

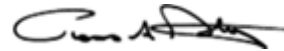
Newton County Health Department



Julie Morff

Director

January 8, 2021



Ross Strobe

Assistant Director

January 8, 2021