

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1957S.02I  
Bill No.: SB 431  
Subject: Gambling; Highway Patrol; Attorney General  
Type: Original  
Date: March 2, 2021

---

Bill Summary: This proposal modifies provisions relating to certain employees regulating gaming.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
<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>			
<b>FUND AFFECTED</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
<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.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</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 2022</b>	<b>FY 2023</b>	<b>FY 2024</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 \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**FISCAL ANALYSIS**

**ASSUMPTION**

Officials from the **Department of Public Safety - Missouri Gaming Commission (MGC)** state section 313.004.10 forbids any former employee of the MGC during his or her employment “or during the first two years following termination” of his or her position from being employed by an excursion gambling boat or entering into a “contractual relationship related to direct gaming activity.” This bill exempts those individuals whose termination was either voluntary or “due to misconduct of such employee related to such employee’s direct regulatory authority related to excursion gambling boats.”

According to § 36.025, RSMo, employees of the MGC are considered employees at-will and “serve at the pleasure” of the commission and can be terminated for no cause. As such, there is no requirement for the MGC to inform an employee whether the termination was due to misconduct of the employee related to the employee’s direct regulatory authority related to excursion gambling boats. Therefore, there is no way to know whether or not the employee was terminated for cause, and thus whether or not that individual is violating the statute by accepting a job in the gaming industry within two years immediately following his or her departure from the MGC. Anyone who “knowing violates” the statute is guilty of a class E felony. MGC is unsure of who determines whether the former employee’s termination was due to misconduct.

**Oversight** notes that although the legislation does not specifically state who determines whether the former employee’s termination was due to misconduct, Oversight assumes the proposal will have no fiscal impact on MGC. Therefore, Oversight will reflect a zero impact in the fiscal note.

Officials from the **Attorney General’s Office**, the **Department of Corrections**, the **Department of Public Safety - Missouri Highway Patrol**, the **Office of the State Public Defender**, the **Missouri Office of Prosecution Services** and the **Office of the State Courts Administrator** 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.

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

<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.

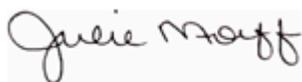
FISCAL DESCRIPTION

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

Attorney General’s Office  
Department of Corrections  
Department of Public Safety- Missouri Gaming Commission  
Department of Public Safety - Missouri Highway Patrol  
Office of the State Public Defender  
Missouri Office of Prosecution Services  
Office of the State Courts Administrator



Julie Morff  
Director  
March 2, 2021



Ross Strobe  
Assistant Director  
March 2, 2021