

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3550H.04C
Bill No.: HCS for SS No. 2 for SB 761
Subject: Highway Patrol; Political Subdivisions; Sunshine Law; Utilities; Courts; State Departments; State Employees; Education, Elementary and Secondary
Type: Original
Date: May 11, 2022

Bill Summary: This proposal modifies and establishes provisions relating to transparency in public institutions.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND				
FUND AFFECTED	FY 2023	FY 2024	FY 2025	Fully Implemented (FY 2032)
General Revenue	Could exceed (\$225,540)	Could exceed (\$304,271)	Could exceed (\$368,988)	Could exceed (\$460,105)
Total Estimated Net Effect on General Revenue	Could exceed (\$225,540)	Could exceed (\$304,271)	Could exceed (\$368,988)	Could exceed (\$460,105)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS				
FUND AFFECTED	FY 2023	FY 2024	FY 2025	Fully Implemented (FY 2032)
Highway Patrol Traffic Records Fund (0758)*	\$0 to \$2,500	\$0 to \$27,500	\$0 to \$32,500	\$0 to \$152,500
State Highways and Transportation Department Fund (0644)*	\$0 to \$2,915	\$0 to \$3,498	\$0 to \$3,615	\$0 to \$6,415
Other State Funds	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
Legal Expense Fund**	\$0	\$0	\$0	\$0
Total Estimated Net Effect on Other State Funds	Less than \$5,415	Less than \$30,998	Less than \$36,115	Less than \$158,915

*The MHP is allowed to increase certain fees by \$1 every other year for 10 years.

** LEF will net to zero.

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS				
FUND AFFECTED	FY 2023	FY 2024	FY 2025	Fully Implemented (FY 2032)
Federal	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
Total Estimated Net Effect on All Federal Funds	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)				
FUND AFFECTED	FY 2023	FY 2024	FY 2025	Fully Implemented (FY 2032)
General Revenue	2 FTE	2 FTE	2 FTE	2 FTE
Total Estimated Net Effect on FTE	2 FTE	2 FTE	2 FTE	2 FTE

- 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.

ESTIMATED NET EFFECT ON LOCAL FUNDS				
FUND AFFECTED	FY 2023	FY 2024	FY 2025	Fully Implemented (FY 2032)
Local Government	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

FISCAL ANALYSIS

ASSUMPTION

Due to time constraints, **Oversight** was unable to receive some agency responses in a timely manner and performed limited analysis. Oversight has presented this fiscal note on the best current information that we have or on information regarding a similar bill(s). Upon the receipt of agency responses, Oversight will review to determine if an updated fiscal note should be prepared and seek approval to publish a new fiscal note.

§43.253 – Fees paid to the Missouri State Highway Patrol

Officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** assume this legislation would add language to §43.253, RSMo, to allow the Missouri State Highway Patrol to charge a minimum fee of \$5.00 to disseminate records requests. The proposal does not mandate a minimum \$5.00 fee be imposed; it simply allows for such. The Superintendent of the Missouri State Highway Patrol would be allowed to increase the minimum fee described in this section by not more than one dollar every other year following this section's effective date, up to a maximum of ten dollars. The current fee for a traffic crash report is calculated at \$4.90 per report and was implemented February 1, 2019. This legislation would result in a slight increase in that fee to \$5.00. The Patrol Records Division disseminates approximately 30,000 crash reports per year, this would result in a nominal increase in the amount of approximately \$3,000 of state revenue collected and deposited into the Traffic Records Fund (0758). This proposed legislation would also allow the Custodian of Records to charge fees on records requests that are not currently charged. The Patrol's Custodian of Records usually does not charge for open records requests that take a limited time to process. The Patrol could also charge for approximately 700 records requests a year that are not currently charged, resulting in a \$3,500 increase to be deposited into the Highway Fund (0644) in the initial year.

Any funding increase realized by the Traffic Records Fund will be reinvested in the electronic report dissemination software. This enhancement will allow individuals to request, purchase, and receive records requests through an electronic portal.

The increased revenue could be realized if fees are increased to their maximum allowable amount:

FY23 Based on 10/12 rule
Traffic crash reports
 $(30,000 \times 0.8333 =) 25,000 \text{ traffic crash reports} \times \$0.10 \text{ fee increase} = \$2,500$
Other records requests
 $(700 \times 0.833 =) 583 \text{ records requests} \times \$5.00 = \$2,915$
Total $\$2,500 + \$2,915 = \$5,415$

FY24 Based on 10/12 rule
Traffic crash reports

$(30,000 \times 0.8333 =) 25,000$ traffic crash reports $\times \$1$ increase (fee at \$6) = **\$25,000**

Other records requests

$(700 \times 0.8333 =) 583$ records requests $\times \$1$ increase (fee at \$6) = **\$583**

Total \$25,000 + \$583 = \$25,583

FY26 Traffic Crash Reports

$30,000 \times \$1$ increase (fee at \$7) = **\$30,000**

Other records requests

$700 \times \$1$ increase (fee at \$7) = **\$700**

FY28 Traffic Crash Reports

$30,000 \times \$1$ increase (fee at \$8) = **\$30,000**

Other records requests

$700 \times \$1$ increase (fee at \$8) = **\$700**

FY30 Traffic Crash Reports

$30,000 \times \$1$ increase (fee at \$9) = **\$30,000**

Other records requests

$700 \times \$1$ increase (fee at \$9) = **\$700**

FY32 Traffic Crash Reports

$30,000 \times \$1$ increase (fee at \$10) = **\$30,000**

Other records requests

$700 \times \$1$ increase (fee at \$10) = **\$700**

Oversight notes the increase in fees will result in the revenue from these fees compounding over the years from FY23 through FY32 as shown below:

$\$2,500 + \$30,000 + \$30,000 + \$30,000 + \$30,000 + \$30,000 = \$152,500$ (Traffic fund)

$\$2,915 + \$700 + \$700 + \$700 + \$700 = \$6,415$ (Highway fund).

Oversight also notes the revenue presented for FY32 was determined under the assumption that the MHP will increase the minimum fee as outlined in this proposal (additional \$1 every other year).

However, because this proposal is permissive, Oversight will range the revenue from \$0 (no increase in fees) to the estimate of \$152,500 (fee not to exceed \$10) to the Highway Patrol Traffic Records Fund and \$6,415 (fee not to exceed \$10) to the State Highways and Transportation Department Fund for fiscal note purposes.

§105.1500 – Personal Privacy Protection Act

In response to similar legislation from 2022 (SCS HCS HB 2120), officials from the **Office of the Secretary of State (SOS)** assumed 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.

Oversight assumes subsection 105.1500.5 of this proposal would allow causes of action against various public agencies throughout the state. If the state is found liable, there may be additional payouts from the State Legal Expense Fund. Oversight assumes an annual fiscal impact from \$0 (no such civil actions brought against the state) to an unknown amount - not likely to exceed \$250,000 – of civil damages payouts.

Therefore, **Oversight** will assume the net fiscal impact to the Legal Expense Fund will be \$0 due to transfers in from General Revenue, Federal Funds, and Other State Funds from various state agencies to offset judgements against the state.

§161.841 – Parents’ Access to Public Schools Records Act

In response to similar legislation from 2022 (Perfected HCS HB 1858), officials from the **Department of Elementary and Secondary Education (DESE)** stated this section requires the development of a set of model policies for school districts to adopt regarding the parental bill of rights. DESE estimates a cost of \$20,000 for the development of such policies, holding meetings for parent feedback, and monitoring to make sure the appropriate policies are adopted by all local boards of education.

In response to similar legislation from 2022 (Perfected HCS HB 1858), officials from the **Office of the State Courts Administrator** assumed the proposal would have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this agency for this provision.

Oversight did not receive any responses from school districts related to the fiscal impact of this proposal.

Oversight assumes there could be costs to school districts to adopt model policies related to parental rights depending on the requirements of the policies.

Oversight assumes there could be costs for staff time to meet requests for information on curriculum, instructional material, contracts and funding. Additionally, Oversight assumes there could be training costs, administrative costs related to notifications and printing, costs to hold additional public hearings as well as legal costs.

Oversight is uncertain if school districts could absorb costs related to the governing board providing public records and communicating with parents.

Oversight assumes there could be costs for school boards to ensure effective accountability and transparency by assisting, collaborating and communicating with parents.

Oversight is uncertain if these costs could be absorbed by school districts. Therefore, Oversight will show these costs as a range of \$0 (no additional costs or can be absorbed) to unknown costs.

Oversight notes, if a school district fails to comply with this proposal, DESE is to withhold all moneys provided by the monthly distribution of state formula funding to the district. Oversight will show a potential loss to school districts who fail to comply and a gain in revenue for General Revenue. Oversight is uncertain how many school districts would be non-compliant but notes the monthly distribution for many school districts exceed the \$250,000 threshold. Therefore, Oversight assumes this impact could exceed a gain of \$250,000.

Oversight assumes any funding withheld for non-compliance shall be released to the school district in the same school year if the school district establishes compliance. Oversight assumes the combined effect would range from \$0 (no funding withheld or funding returned) to an unknown gain to General Revenue and an unknown loss to school districts if a school district does not establish compliance.

§170.355 – Nondiscrimination in public schools

In response to similar legislation from 2022 (HCS HB 2575), officials from **Department of Elementary and Secondary Education (DESE)** stated this legislation requires the Department to withhold funds from school districts that are found in violation of the requirements of this section. If the violation is not corrected during the school year in which the withhold occurred, the withheld amounts are not allowed to be returned to the school district. This could result in a cost avoidance for the state as those funds appropriated for schools in violation may not be expended. DESE has no way to determine what districts may violate the section and not come in compliance with the section in the same school year.

In response to the previous version, officials from the **Sikeston R-6 School District** assumed the proposal would have no fiscal impact on their organization.

In response to similar legislation from 2022 (HCS HB 2575), officials from the **Gordon Parks Elementary Charter School** stated there would be an impact to their organization but did not provide any further information.

Oversight notes, if a court finds that a school district fails to comply with this proposal, DESE is to withhold all moneys provided by the monthly distribution of state formula funding to the district. Oversight will show a potential loss to school districts who fail to comply and a gain in revenue for General Revenue. Oversight is uncertain how many school districts would be non-compliant but assumes the funding withheld from school districts could possibly exceed \$250,000 depending on the number of districts that are not in compliance.

Oversight assumes any funding withheld for non-compliance shall be released to the school district if the school district establishes compliance within the school year during which DESE withheld monies. Oversight assumes the combined effect would range from \$0 (no funding withheld or funding returned) to an unknown gain to General Revenue.

Oversight assumes the combined impact for school districts would be \$0 (no funding withheld or funding returned) to an unknown loss to school districts if a school district does not establish compliance.

Oversight notes the foundation formula payments for school districts is estimated at \$3,561,737,794 for FY 2023 per the DESE Budget Request for FY 2023.

In addition, **Oversight** assumes there could be legal costs for districts if parents bring a civil action for injunctive relief against the district.

Oversight received a limited number of responses from school districts related to the fiscal impact of this proposal. Oversight has presented this fiscal note on the best current information available. Upon the receipt of additional responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval to publish a new fiscal note.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other school districts were requested to respond to this proposed legislation but did not. A listing of political subdivisions included in the Missouri Legislative Information System (MOLIS) database is available upon request.

§476.055 – Redaction of personal identifying information of minors

Officials from the **Department of Social Services (DSS)** state §476.055 adds additional redacting requirements. The Division of Legal Services will need two (2) Lead Administrative Support Assistants to meet the additional requirements prior to giving information to the Office of State Court Administrators.

Oversight does not have any information contrary to that provided by DSS. Therefore, Oversight will reflect DSS's impact for fiscal note purposes.

In response to a previous version (Perfected SS SB 761), officials from the **Office of State Courts Administrator (OSCA)** stated there may be some impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

§§575.095 and Sections 2 – Tampering with a judicial officer and public officials

In response to similar legislation from 2022 (SCS HCS HB 2120), officials from the **Department of Corrections (DOC)** assumed this amendment creates two new class B felonies and one new class D felony.

Given the seriousness of class B felony offenses and that the introduction of a completely new class B felony offense is a rare event, the department assumes the admission of one person per year for each new class B felony.

Offenders committed to prison with a class B felony as their most serious sentence who were first released sometime during fiscal years 2019, 2020 and 2021, had an average sentence length of 9.0 years and served, on average, 3.4 years in prison prior to first release. The department assumes one third of the remaining sentence length will be served in prison as a parole return, and the rest of the sentence will be served on supervision in the community.

The cumulative impact on the department is estimated to be 10 additional offenders in prison and 8 additional offenders on field supervision by FY 2031.

Change in prison admissions and probation openings with legislation

	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032
New Admissions										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	2	2	2	2	2	2	2	2	2	2
Probation										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	0	0	0	0	0	0	0	0	0	0
Change (After Legislation - Current Law)										
Admissions	2	2	2	2	2	2	2	2	2	2
Probations										
Cumulative Populations										
Prison	2	4	6	8	10	10	10	10	10	10
Parole					2	4	6	8	8	8
Probation										
Impact										
Prison Population	2	4	6	8	10	10	10	10	10	10
Field Population					2	4	6	8	8	8
Population Change	2	4	6	8	10	12	14	16	18	18

For each new nonviolent class D felony, the department estimates three people will be sentenced to prison and five to probation. The average sentence for a nonviolent class D felony offense is 5 years, of which 2.8 years will be served in prison with 1.7 years to first release. The remaining 2.2 years will be on parole. Probation sentences will be 3 years.

The cumulative impact on the department is estimated to be 8 additional offenders in prison and 22 additional offenders on field supervision by FY 2027.

Change in prison admissions and probation openings with legislation-Class D Felony (nonviolent)

	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032
New Admissions										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	3	3	3	3	3	3	3	3	3	3
Probation										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	5	5	5	5	5	5	5	5	5	5
Change (After Legislation - Current Law)										
Admissions	3	3	3	3	3	3	3	3	3	3
Probations	5	5	5	5	5	5	5	5	5	5
Cumulative Populations										
Prison	3	6	8	8	8	8	8	8	8	8
Parole			1	4	7	7	7	7	7	7
Probation	5	10	15	15	15	15	15	15	15	15
Impact										
Prison Population	3	6	8	8	8	8	8	8	8	8
Field Population	5	10	16	19	22	22	22	22	22	22
Population Change	8	16	24	27	30	30	30	30	30	30

Combined Cumulative Estimated Impact

The combined cumulative estimated impact on the department is 18 additional offenders in prison and 30 additional offenders on field supervision by FY 2031.

Change in prison admissions and probation openings with legislation

	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032
New Admissions										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	5	5	5	5	5	5	5	5	5	5
Probation										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	5	5	5	5	5	5	5	5	5	5
Change (After Legislation - Current Law)										
Admissions	5	5	5	5	5	5	5	5	5	5
Probations	5	5	5	5	5	5	5	5	5	5
Cumulative Populations										
Prison	5	10	14	16	18	18	18	18	18	18
Parole	0	0	1	4	7	9	11	13	15	15
Probation	5	10	15	15	15	15	15	15	15	15
Impact										
Prison Population	5	10	14	16	18	18	18	18	18	18
Field Population	5	10	16	19	22	24	26	28	30	30
Population Change	10	20	30	35	40	42	44	46	48	48

	# to prison	Cost per year	Total Costs for prison	# to probation & parole	Cost per year	Total cost for probation & parole	Grand Total - Prison and Probation (includes 2% inflation)
Year 1	5	(\$8,255)	(\$34,396)	5	\$0	\$0	(\$34,396)
Year 2	10	(\$8,255)	(\$84,201)	10	\$0	\$0	(\$84,201)
Year 3	14	(\$8,255)	(\$120,239)	16	\$0	\$0	(\$120,239)
Year 4	16	(\$8,255)	(\$140,164)	19	\$0	\$0	(\$140,164)
Year 5	18	(\$8,255)	(\$160,839)	22	\$0	\$0	(\$160,839)
Year 6	18	(\$8,255)	(\$164,055)	24	\$0	\$0	(\$164,055)
Year 7	18	(\$8,255)	(\$167,336)	26	\$0	\$0	(\$167,336)
Year 8	18	(\$8,255)	(\$170,683)	28	\$0	\$0	(\$170,683)
Year 9	18	(\$8,255)	(\$174,097)	30	\$0	\$0	(\$174,097)
Year 10	18	(\$8,255)	(\$177,579)	30	\$0	\$0	(\$177,579)

§610.021 – Public records

In response to a previous version (Perfected SS SB 761), officials from the **Department of Commerce and Insurance** assumed the proposal will have no fiscal impact on their organization.

In response to similar legislation from 2022 (SB 827), officials from the **St. Louis-Jefferson SWMD Solid Waste District** assumed the proposal will have no fiscal impact on their organization.

In response to a similar proposal from 2021 (SB 214), officials from the **Butler County Pwsd #2**, the **Class County Pwsd #2**, the **Clarence/Cannon Wholesale Water District**, the **Corder Water/Waste Water District**, the **East Butler County Sewer District**, the **Lexington Water/Wastewater District**, the **Macon County Pwsd #1**, the **Platte County Pwsd #6**, the **Schelle City Water Department**, the **City of Springfield**, the **St. Charles County Pwsd #2**, the **Ste. Genevieve County Pwsd #1** and the **Stone County Pwsd #1** each assumed the proposal would have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note for this section.

In response to a previous version (Perfected SS SB 761), officials from the **Little Blue Valley Sewer District** and the **Wayne County Pwsd** assumed the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Section 1 – Tampering with an elected official

In response to similar legislation from 2022 (Perfected HCS HB 2140), officials from the **Department of Corrections (DOC)** assumed given the seriousness of class B felony offenses and that the introduction of a completely new class B felony offense is a rare event, the department assumes the admission of one person per year for each new class B felony.

Offenders committed to prison with a class B felony as their most serious sentence who were first released sometime during fiscal years 2019, 2020 and 2021, had an average sentence length of 9.0 years and served, on average, 3.4 years in prison prior to first release. The department assumes one third of the remaining sentence length will be served in prison as a parole return, and the rest of the sentence will be served on supervision in the community.

The cumulative impact on the department is estimated to be 5 additional offenders in prison and 0 additional offenders on field supervision by FY 2027.

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Change in prison admissions and probation openings with legislation

	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032
New Admissions										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	1	1	1	1	1	1	1	1	1	1
Probation										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	0	0	0	0	0	0	0	0	0	0
Change (After Legislation - Current Law)										
Admissions	1	1	1	1	1	1	1	1	1	1
Probations										
Cumulative Populations										
Prison	1	2	3	4	5	5	5	5	5	5
Parole						1	2	3	4	4
Probation										
Impact										
Prison Population	1	2	3	4	5	5	5	5	5	5
Field Population						1	2	3	4	4
Population Change	1	2	3	4	5	6	7	8	9	9

For each new nonviolent class D felony, the department estimates three people will be sentenced to prison and five to probation. The average sentence for a nonviolent class D felony offense is 5 years, of which 2.8 years will be served in prison with 1.7 years to first release. The remaining 2.2 years will be on parole. Probation sentences will be 3 years.

The cumulative impact on the department is estimated to be 8 additional offenders in prison and 16 additional offenders on field supervision by FY 2025.

Change in prison admissions and probation openings with legislation-Class D Felony (nonviolent)

	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032
New Admissions										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	3	3	3	3	3	3	3	3	3	3
Probation										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	5	5	5	5	5	5	5	5	5	5
Change (After Legislation - Current Law)										
Admissions	3	3	3	3	3	3	3	3	3	3
Probations	5	5	5	5	5	5	5	5	5	5
Cumulative Populations										
Prison	3	6	8	8	8	8	8	8	8	8
Parole			1	4	7	7	7	7	7	7
Probation	5	10	15	15	15	15	15	15	15	15
Impact										
Prison Population	3	6	8	8	8	8	8	8	8	8
Field Population	5	10	16	19	22	22	22	22	22	22
Population Change	8	16	24	27	30	30	30	30	30	30

Combined Cumulative Estimated Impact

The combined cumulative estimated impact on the department is 13 additional offenders in prison and 22 additional offenders on field supervision by FY 2027.

Change in prison admissions and probation openings with legislation

	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032
New Admissions										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	4	4	4	4	4	4	4	4	4	4
Probation										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	5	5	5	5	5	5	5	5	5	5
Change (After Legislation - Current Law)										
Admissions	4	4	4	4	4	4	4	4	4	4
Probations	5	5	5	5	5	5	5	5	5	5
Cumulative Populations										
Prison	4	8	11	12	13	13	13	13	13	13
Parole	0	0	1	4	7	8	9	10	11	11
Probation	5	10	15	15	15	15	15	15	15	15
Impact										
Prison Population	4	8	11	12	13	13	13	13	13	13
Field Population	5	10	16	19	22	23	24	25	26	26
Population Change	9	18	27	31	35	36	37	38	39	39

	# to prison	Cost per year	Total Costs for prison	# to probation & parole	Cost per year	Total cost for probation & parole	Grand Total - Prison and Probation (includes 2% and parole inflation)
Year 1	4	(\$8,255)	(\$27,517)	0	\$0	\$0	(\$27,517)
Year 2	8	(\$8,255)	(\$67,361)	0	\$0	\$0	(\$67,361)
Year 3	11	(\$8,255)	(\$94,474)	0	\$0	\$0	(\$94,474)
Year 4	12	(\$8,255)	(\$105,123)	0	\$0	\$0	(\$105,123)
Year 5	13	(\$8,255)	(\$116,161)	0	\$0	\$0	(\$116,161)
Year 6	13	(\$8,255)	(\$118,484)	0	\$0	\$0	(\$118,484)
Year 7	13	(\$8,255)	(\$120,854)	0	\$0	\$0	(\$120,854)
Year 8	13	(\$8,255)	(\$123,271)	0	\$0	\$0	(\$123,271)
Year 9	13	(\$8,255)	(\$125,737)	0	\$0	\$0	(\$125,737)
Year 10	13	(\$8,255)	(\$128,251)	0	\$0	\$0	(\$128,251)

Oversight does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect DOC's estimated impact for fiscal note purposes.

Responses regarding the proposed legislation as a whole

Officials from the **Office of the State Public Defender (SPD)** state the proposed legislation expands offenses under Sections 575.095 and 610.021. The legislation could increase the number of persons eligible for public defender representation, but it is impossible to determine the exact number of new clients. It is anticipated that the fiscal impact would be less than \$250,000.

Oversight notes in FY22 the SPD was appropriated moneys for 53 additional FTE. Oversight assumes this proposal will create a minimal number of new cases and that the SPD can absorb the additional caseload required by this proposal with current staff and resources. Therefore, Oversight will reflect no fiscal impact to the SPD for fiscal note purposes. However, if multiple bills pass which require additional staffing and duties, the SPD may request funding through the appropriation process.

Officials from the **Missouri Office of Prosecution Services**, the **Metropolitan St. Louis Sewer District**, the **South River Drainage District**, and the **Hancock Street Light District** assume the proposal will have no fiscal impact on their organization.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for the abovementioned agencies.

FISCAL IMPACT – State Government	FY 2023 (10 Mo.)	FY 2024	FY 2025	Fully Implemented (FY 2032)
GENERAL REVENUE				
Revenue Gain – (§§161.841 and 170.355) From funding <u>withheld</u> from school districts and charter schools for non-compliance p. 6-8	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
Costs – (§161.841) To develop a model policies for school districts p. 6	(\$20,000)	\$0	\$0	\$0
Costs – (§476.055) DSS p. 9				Could exceed...
Personal Services (for 2 FTE)	(\$62,243)	(\$75,439)	(\$76,193)	(\$76,193)
Fringe Benefits	(\$45,526)	(\$54,881)	(\$55,134)	(\$55,134)
Expense & Equipment	(\$35,858)	(\$22,389)	(\$22,948)	(\$22,948)
Total Costs – DSS	(\$143,627)	(\$152,709)	(\$154,275)	(\$154,275)
Costs – DOC (§575.095) p. 9-11 Increased incarceration costs	(\$34,396)	(\$84,201)	(\$120,239)	(\$177,579)
Costs – (§105.1500.5) Potential increase in payments to Legal Expense Fund for increase in claims p. 6	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
Costs – (Section 1) Increased incarceration costs p. 12-14	(\$27,517)	(\$67,361)	(\$94,474)	(\$128,251)
Revenue Loss – (§§161.841 and 170.355) From funding returned to school districts and charter schools for establishing compliance p. 6-7	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	Could exceed (\$225,540)	Could exceed (\$304,271)	Could exceed (\$368,988)	Could exceed (\$460,105)
Estimated Net FTE Change for the General Revenue Fund	2 FTE	2 FTE	2 FTE	2 FTE

FISCAL IMPACT – State Government (continued)	FY 2023 (10 Mo.)	FY 2024	FY 2025	Fully Implemented (FY 2032)
HIGHWAY PATROL TRAFFIC RECORDS FUND (0758)				
Revenue – MHP (§43.253) Fees from records request p. 4-5	<u>\$0 to</u> <u>\$2,500</u>	<u>\$0 to</u> <u>\$27,500</u>	<u>\$0 to</u> <u>\$32,500</u>	<u>\$0 to</u> <u>\$152,500</u>
ESTIMATED NET EFFECT ON THE HIGHWAY PATROL TRAFFIC RECORDS FUND	<u>\$0 to</u> <u>\$2,500</u>	<u>\$0 to</u> <u>\$27,500</u>	<u>\$0 to</u> <u>\$32,500</u>	<u>\$0 to</u> <u>\$152,500</u>
STATE HIGHWAYS AND TRANSPORTATION DEPARTMENT FUND (0644)				
Revenue – MHP (§43.253) Fees from records request p. 4-5	<u>\$0 to</u> <u>\$2,915</u>	<u>\$0 to</u> <u>\$3,498</u>	<u>\$0 to</u> <u>\$3,615</u>	<u>\$0 to</u> <u>\$6,415</u>
ESTIMATED NET EFFECT ON THE STATE HIGHWAYS AND TRANSPORTATION FUND	<u>\$0 to</u> <u>\$2,915</u>	<u>\$0 to</u> <u>\$3,498</u>	<u>\$0 to</u> <u>\$3,615</u>	<u>\$0 to</u> <u>\$6,415</u>
OTHER STATE FUNDS				
Cost - (§105.1500.5) Potential increase in payments to Legal Expense Fund for increase in claims p. 6	<u>\$0 to</u> (Unknown)	<u>\$0 to</u> (Unknown)	<u>\$0 to</u> (Unknown)	<u>\$0 to</u> (Unknown)
ESTIMATED NET EFFECT TO OTHER STATE FUNDS	<u>\$0 to</u> (Unknown)	<u>\$0 to</u> (Unknown)	<u>\$0 to</u> (Unknown)	<u>\$0 to</u> (Unknown)

FISCAL IMPACT – State Government (continued)	FY 2023 (10 Mo.)	FY 2024	FY 2025	Fully Implemented (FY 2032)
LEGAL EXPENSE FUND (0692)				
Transfer In - (§105.1500.5) from GR, Federal, and Other State Funds p. 6	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
Transfer Out – (§105.1500.5) Payment of discrimination claims p. 6	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
ESTIMATED NET EFFECT TO THE LEGAL EXPENSE FUND	\$0	\$0	\$0	\$0
FEDERAL FUNDS				
Costs - (§105.1500.5) Potential increase in payments for increase in claims p. 6	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
ESTIMATED NET EFFECT TO FEDERAL FUNDS	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

<u>FISCAL IMPACT – Local Government</u>	FY 2023 (10 Mo.)	FY 2024	FY 2025	Fully Implemented (FY 2032)
LOCAL POLITICAL SUBDIVISIONS				
<u>Gain</u> – (§§161.841 and 170.355) School Districts & Charter Schools - funding returned for establishing compliance p. 6-8	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
<u>FISCAL IMPACT – Local Government (continued)</u>	FY 2023 (10 Mo.)	FY 2024	FY 2025	Fully Implemented (FY 2032)
<u>Costs</u> – (§105.1500.5) Potential increase in claims p. 6	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<u>Costs</u> - (§161.841.4) to adopt policies related to parents' rights p. 6-7	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<u>Costs</u> – (§161.841.13) for school board to assist, collaborate and communicate with parents p. 6-7	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<u>Costs</u> – (§161.841) staff time, training, notification, printing, and legal costs p. 6-7	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<u>Costs</u> - (§§161.841 and 170.355) for legal costs if parents bring a civil action for injunctive relief p. 6-8	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<u>Loss</u> – (§§161.841 and 170.355) School Districts & Charter Schools - funding withheld for non-compliance p. 6-8	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

ESTIMATED NET EFFECT TO LOCAL POLITICAL SUBDIVISIONS	<u>\$0 or</u> <u>(Unknown)</u>	<u>\$0 or</u> <u>(Unknown)</u>	<u>\$0 or</u> <u>(Unknown)</u>	<u>\$0 or</u> <u>(Unknown)</u>
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FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

This proposal modifies provisions relating to transparency in public institutions.

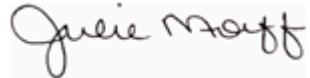
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Attorney General's Office
Department of Commerce and Insurance
Department of Corrections
Department of Elementary and Secondary Education
Department of Public Safety
Department of Social Services
Missouri Ethics Commission
Missouri Office of Prosecution Services
Office of Administration
Office of the State Public Defender
South River Drainage District
St. Louis-Jefferson SWMD Solid Waste District
Wayne County Pwsd
Hancock Street Light District
Butler County Pwsd #2
Class County Pwsd #2
Clarence/Cannon Wholesale Water District
Corder Water/Waste Water District
East Butler County Sewer District
Lexington Water/Wastewater District
Little Blue Valley Sewer District
Macon County PWS #1
Metropolitan St. Louis Sewer District
Platte County Pwsd #6
Schelle City Water Department
City of Springfield
St. Charles County Pwsd #2

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Ste. Genevieve County Pwsd #1
Stone County Pwsd #1
Sikeston R-6 School District
Gordon Parks Elementary Charter School



Julie Morff
Director
May 11, 2022



Ross Strope
Assistant Director
May 11, 2022