

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 5782S.01I  
Bill No.: SJR 53  
Subject: Abortion; Constitutional Amendments  
Type: Original  
Date: April 4, 2022

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Bill Summary: Recognizes that nothing in the Missouri Constitution shall be construed to secure or protect a right to abortion.

**FISCAL SUMMARY**

| <b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>          |   |                |                |
|--|---|----------------|----------------|
| <b>FUND AFFECTED</b>   | <b>FY 2023</b>                            | <b>FY 2024</b> | <b>FY 2025</b> |
| General Revenue*   | \$0 or (More than<br>\$7,000,000)         | \$0            | \$0            |
| <b>Total Estimated Net<br/>Effect on General<br/>Revenue</b> | <b>\$0 or (More than<br/>\$7,000,000)</b> | <b>\$0</b>     | <b>\$0</b>     |

\*Election costs would only be incurred if the Governor called a special election.

| <b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>                      |                |                |                |
|---|----------------|----------------|----------------|
| <b>FUND AFFECTED</b>  | <b>FY 2023</b> | <b>FY 2024</b> | <b>FY 2025</b> |
|   |                |                |                |
| <b>Total Estimated Net<br/>Effect on <u>Other</u> State<br/>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 2023</b> | <b>FY 2024</b> | <b>FY 2025</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 2023</b> | <b>FY 2024</b> | <b>FY 2025</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 2023</b> | <b>FY 2024</b> | <b>FY 2025</b> |
|  |                |                |                |
| <b>Local Government*</b>                   | <b>\$0</b>     | <b>\$0</b>     | <b>\$0</b>     |

\*Transfer-in and reimbursement of election costs net to \$0 and only occur if a special election is called by the Governor.

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Office of the Secretary of State (SOS), Elections Division** state each year, a number of joint resolutions that would refer to a vote of the people a constitutional amendment and bills that would refer to a vote of the people the statutory issue in the legislation may be considered by the General Assembly.

Unless a special election is called for the purpose, Joint Resolutions proposing a constitutional amendment are submitted to a vote of the people at the next general election. Article XII section 2(b) of the Missouri Constitution authorizes the governor to order a special election for constitutional amendments referred to the people. If a special election is called to submit a Joint Resolution to a vote of the people, section 115.063.2 RSMo requires the state to pay the costs. The cost of the special election has been estimated to be \$7 million based on the cost of the 2020 Presidential Preference Primary.

The SOS is required to pay for publishing in local newspapers the full text of each statewide ballot measure as directed by Article XII, Section 2(b) of the Missouri Constitution and Section 116.230-116.290, RSMo. Funding for this item is adjusted each year depending upon the election cycle. A new decision item is requested in odd numbered fiscal years and the amount requested is dependent upon the estimated number of ballot measures that will be approved by the General Assembly and the initiative petitions certified for the ballot. In FY 2014, the General Assembly changed the appropriation so that it was no longer an estimated appropriation.

For the FY22 petitions cycle, the SOS estimates publication costs at \$70,000 per page. This amount is subject to change based on number of petitions received, length of those petitions and rates charged by newspaper publishers.

The SOS will continue to assume, for the purposes of this fiscal note, that it should have the full appropriation authority it needs to meet the publishing requirements. Because these requirements are mandatory, the SOS reserves the right to request funding to meet the cost of its publishing requirements if the Governor and the General Assembly again change the amount or continue to not designate it as an estimated appropriation.

**Oversight** has reflected, in this fiscal note, the state potentially reimbursing local political subdivisions the cost of having this joint resolution voted on during a special election in fiscal year 2023. This reflects the decision made by the Joint Committee on Legislative Research that the cost of the elections should be shown in the fiscal note. The next scheduled statewide primary election is in August 2022 and the next scheduled general election is in November 2022 (both in FY 2023). It is assumed the subject within this proposal could be on one of these ballots; however, it could also be on a special election called for by the Governor (a different date). Therefore, Oversight will reflect a potential election cost reimbursement to local political subdivisions in FY 2023.

Officials from the **Office of the Secretary of State (SOS), Administrative Rules Division** notes 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 its 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.

Officials from the **Kansas City Election Authority** state the cost to conduct an election is the Kansas City portion of Jackson County and is \$625,000. The State would be responsible for their pro-rata share based on voter registration. **Oversight** does not have any information to the contrary. Oversight notes the State would reimburse local election authority costs for a special election.

Officials from the **Platte County Election Authority** and the **St. Louis County Election Authority** each assume the proposal will have no fiscal impact on their 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 – State Government</u>  | FY 2023<br>(6 Mo.)                           | FY 2024           | FY 2025           |
|--|--|-------------------|-------------------|
| <b>GENERAL REVENUE</b>   |  |                   |                   |
| <u>Transfer-out - SOS - reimbursement of local election authority election costs if a special election is called by the Governor</u> | \$0 or (More than \$7,000,000)               | \$0               | \$0               |
| <b>ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND</b>  | <b><u>\$0 or (More than \$7,000,000)</u></b> | <b><u>\$0</u></b> | <b><u>\$0</u></b> |

| <u>FISCAL IMPACT – Local Government</u>   | FY 2023<br>(10 Mo.)            | FY 2024           | FY 2025           |
|---|--------------------------------|-------------------|-------------------|
| <b>LOCAL POLITICAL SUBDIVISIONS</b>   |                                |                   |                   |
| <u>Transfer In</u> - Local Election Authorities - reimbursement of election costs by the State for a special election | \$0 or More than \$7,000,000   | \$0               | \$0               |
| <u>Costs</u> - Local Election Authorities - cost of a special election <b>if</b> called for by the Governor           | \$0 or (More than \$7,000,000) | <u>\$0</u>        | <u>\$0</u>        |
| <b>ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS</b>   | <b><u>\$0</u></b>              | <b><u>\$0</u></b> | <b><u>\$0</u></b> |
|   |                                |                   |                   |
|   |                                |                   |                   |

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

This joint resolution, if adopted by the voters, recognizes that nothing in the Missouri Constitution shall be construed to secure or protect a right to abortion.

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. 5782S.011

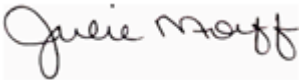
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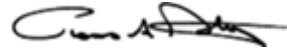
April 4, 2022

SOURCES OF INFORMATION

Office of the Secretary of State  
Kansas City Election Authority  
Platte County Election Authority  
St. Louis County Election Authority



Julie Morff  
Director  
April 4, 2022



Ross Strobe  
Assistant Director  
April 4, 2022