

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0608S.06C
Bill No.: SCS for SB 134
Subject: Children and Minors; Education, Elementary and Secondary; Mental Health
Type: Original
Date: April 3, 2023

Bill Summary: This proposal establishes the Vulnerable Child Compassion and Protection Act to prohibit school officials from promoting any gender identity or sexual orientation or withholding information about students' gender identity from their parents.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
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 2024	FY 2025	FY 2026
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Total Estimated Net Effect on FTE	0	0	0

- 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 2024	FY 2025	FY 2026
Local Government	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

FISCAL ANALYSIS

ASSUMPTION

Sections 170.385 and 170.386 - Vulnerable Child Compassion and Protection Act

Officials from the **Office of the State Courts Administrator** did not respond to **Oversight's** request for fiscal impact for this proposal.

Officials from the **Department of Elementary and Secondary Education, Office of Administration - Administrative Hearing Commission, Department of Mental Health, Office of the State Auditor, Attorney General's Office** and the **Department of Commerce and Insurance** each assume the proposal will have no fiscal impact on their respective organizations.

Oversight notes that the above mentioned agencies have 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 for these agencies.

Oversight assumes there could be costs for school districts if the Attorney General's Office or a parent brings a civil action against district. Oversight will show a range of impact of \$0 to an unknown cost.

Oversight did not receive any 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, 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.

<u>FISCAL IMPACT – State Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026
SCHOOL DISTRICTS & CHARTER SCHOOLS			
<u>Costs</u> - for court costs, attorney fees and damages - §170.386.9	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
ESTIMATED NET EFFECT ON SCHOOL DISTRICTS & CHARTER SCHOOLS	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

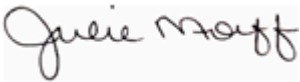
This act establishes the "Vulnerable Child Compassion and Protection Act", which prohibits any school official at a public or charter school from encouraging a student under the age of eighteen years old to adopt a gender identity or sexual orientation. This prohibition shall not apply to certain course components of a school's curriculum.

The act additionally creates provisions to prohibit a school official from withholding information regarding a student's gender identity from the student's parent. A school official shall inform a student's parent within twenty-four hours if the student expresses confusion about their gender identity or requests to use personal pronouns that differ from their sex as registered by their parent during enrollment. A school official shall obtain parental consent before encouraging a student to wear certain items of clothing and before allowing a student to use a name other than the name provided by the parent when registering the student for school. Finally, a school official shall not encourage a student to pursue gender reassignment therapy or surgical procedures. A teacher who violates these provisions shall face charges of incompetence, immorality, and neglect of duty under the laws governing the discipline of holders of certificate of license to teach. A parent of a minor child may bring a civil action against a school district or public school that violates the provisions of the act, and the attorney general may bring a civil action against any school district or public school that violates the provisions of the act.

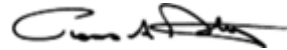
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Elementary and Secondary Education
Department of Commerce and Insurance
Office of Administration - Administrative Hearing Commission
Department of Mental Health
Attorney General's Office
Office of the State Auditor
Office of the State Courts Administrator



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April 3, 2023



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