

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1657S.01I
Bill No.: SB 432
Subject: Cities, Towns, and Villages; Civil Procedure; Civil Rights; Counties; County Government; Courts; General Assembly; Liability; Political Subdivisions; Public Records, Public Meetings; State Departments
Type: Original
Date: April 14, 2023

Bill Summary: This proposal establishes the Uniform Public Expression Protection Act, which provides procedures for dismissal of causes of action based on public expression.

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	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Missouri Department of Agriculture** defer to the Office of Administration for the potential fiscal impact of this proposal.

Officials from the **City of Kansas City** assume this proposal could have a negative fiscal impact if it increases the City's exposure to liability.

Oversight assumes the City of Kansas City is provided with core funding to handle a certain amount of activity each year. Oversight assumes City of Kansas City could absorb the costs related to this proposal. If multiple bills pass which require additional staffing and duties at substantial costs, the City of Kansas City could request funding through the appropriation process.

In response to similar legislation from 2022, SB 1219, officials from the **Office of the State Courts Administrator**, the **Attorney General's Office**, 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 (Office of the Director, Capitol Police, Alcohol & Tobacco Control, Fire Safety, Gaming Commission, Missouri Highway Patrol, State Emergency Management Agency and Veterans Commission)**, the **Department of Social Services**, the **Missouri National Guard**, the **Office of the Governor**, the **Office of the Lieutenant Governor**, the **Joint Committee on Administrative Rules**, the **Joint Committee on Public Employee Retirement**, the **Missouri Lottery Commission**, the **Missouri Consolidated Health Care Plan**, the **Missouri Department of Conservation**, the **Missouri Ethics Commission**, the **Missouri House of Representatives**, the **Department of Transportation**, the **Office of Prosecution Services**, the **Office of Administration (Administrative Hearing Commission and Budget and Planning)**, the **Office of the State Auditor**, the **Missouri Senate**, the **Office of the State Public Defender**, the **Office of the State Treasurer**, the **MoDOT & Patrol Employees' Retirement System**, the **Petroleum Storage Tank Insurance Fund**, the **University of Missouri System**, the **State Tax Commission**, **Jefferson City**, the **City of Springfield**, the **Jackson County Board of Elections**, the **St. Louis City Board of Elections**, the **St. Louis County Board of Elections**, the **Phelps County Sheriff**, the **Kansas City Police Department**, **St. Joseph Police Department**, the **St. Louis County Police Department**, the **University of Central Missouri**, **St. Charles Community College**, the **Joint Committee on Education**, **Legislative Research**, **Oversight Division** and the **Missouri State Employee's Retirement System** each assumed 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.

In response to similar legislation from 2022, SB 1219, officials from the **City of Claycomo**, the **Kansas City Board of Elections**, the **Crawford County 911 Board**, the **Hermann Area Hospital District** and the **Missouri Higher Education Loan Authority** each assumed 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 **Office of the Secretary of State (SOS)** note 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.

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.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other cities, local election authorities, counties, 911 emergency responders, schools, hospitals and colleges were requested to respond to this proposed legislation but did not. A listing of political subdivisions included in the Missouri Legislative Information System 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
	<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 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
Department of Social Services
Office of the Governor
Joint Committee on Administrative Rules
Joint Committee on Public Employee Retirement
Missouri Lottery Commission
Missouri Consolidated Health Care Plan
Department of Agriculture
Missouri Department of Conservation
Missouri Ethics Commission
Missouri House of Representatives
Department of Transportation
Office of Prosecution Services
Office of Administration
 Administrative Hearing Commission
 Budget and Planning
Office of the State Auditor
Missouri Senate
Office of the State Public Defender
Office of the State Treasurer

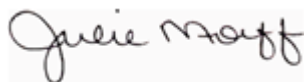
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MoDOT & Patrol Employees' Retirement System
Petroleum Storage Tank Insurance Fund
University of Missouri System
State Tax Commission
City of Claycomo
Jefferson City
City of Kansas City
City of Springfield
Jackson County Board of Elections
Kansas City Board of Elections
Platte County Board of Elections
St. Louis County Board of Elections
Phelps County Sheriff
Kansas City Police Department
St. Joseph Police Department
St. Louis County Police Department
Crawford County 911 Board
Hermann Area Hospital District
University of Central Missouri
St. Charles Community College
Joint Committee on Education
Legislative Research
Oversight Division
Missouri Higher Education Loan Authority
Missouri State Employee's Retirement System



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April 14, 2023



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