

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0850S.02I  
Bill No.: SB 223  
Subject: Attorney General; Children and Minors; Education, Elementary and Secondary;  
Liability  
Type: Original  
Date: February 6, 2025

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Bill Summary: This proposal establishes provisions relating to student surveys.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
<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>			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
<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 2026</b>	<b>FY 2027</b>	<b>FY 2028</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 2026</b>	<b>FY 2027</b>	<b>FY 2028</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 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>
<b>Local Government*</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>

\*Oversight assumes there could be potential costs for school districts if the Attorney General's Office or a parent brings a civil action against a district.

## **FISCAL ANALYSIS**

### **ASSUMPTION**

#### **Section 167.2025 - Provisions relating to student surveys**

Officials from the **Department of Elementary and Secondary Education, Office of the State Courts Administrator, and Office of the State Public Defender** 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.

Officials from the **Missouri Office of Prosecution Services** assume there is no measurable fiscal impact to OPS. The creation of additional responsibilities for county prosecutors and the circuit attorney may in turn result in additional costs which are difficult to determine.

Officials from the **Office of Attorney General (AGO)** assume any potential litigation costs arising from this proposal can be absorbed with existing resources. The AGO may seek additional appropriations if the proposal results in a significant increase in litigation or investigation costs.

**Oversight** does not have any information to the contrary. Therefore, Oversight assumes the AGO will be able to perform any additional duties required by this proposal with current staff and resources and will reflect no fiscal impact to the AGO for fiscal note purposes.

**Oversight** notes Section 167.2025.3 states the information required to be disclosed to parents pursuant to subsection 2 of this section may be posted on the school's website on a page that is easily accessible to parents. Oversight assumes school districts could provide the described information and absorb costs related to requirements of the proposal.

**Oversight** notes the Attorney General or the prosecuting or circuit attorney in the county in which a violation of this section occurs may bring a civil action, including an action for injunctive relief, against any school official who violates the act. A student's parent may bring a civil action, including an action for injunctive relief or for damages, against any school official for a violation of the act that causes harm to such parent's child.

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

**Oversight** received no 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 MOLIS database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
<b>SCHOOL DISTRICTS</b>			
<u>Costs</u> – for attorney’s fees and other legal costs - §167.2025.4 and 5	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<b>ESTIMATED NET EFFECT ON SCHOOL DISTRICTS</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>

#### FISCAL IMPACT – Small Business

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

#### FISCAL DESCRIPTION

At least 24 hours before presenting a survey to a student, this act requires schools that receive state funding to notify the parent of such student, disclose the full contents of the survey, and obtain written parental consent if the survey asks any question relating to an item that is protected under the federal Protection of Pupil Rights Amendment, including questions regarding political affiliations; mental or psychological problems, including substance abuse issues; sexual behavior or attitudes; illegal, antisocial, self-incriminating, or demeaning behavior; critical appraisals of family members; legally recognized privileged relationships; religious practices, affiliations, or beliefs; or income, except as required to determine eligibility for participation in a program or to receive financial assistance under such program. A school may disclose the survey's contents by posting the survey on the school website on a page that is easily accessible to parents.

The Attorney General or the prosecuting or circuit attorney in the county in which a violation of this section occurs may bring a civil action, including an action for injunctive relief, against any school official who violates the act. A student's parent may bring a civil action, including an action for injunctive relief or for damages, against any school official for a violation of the act that causes harm to such parent's child.

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

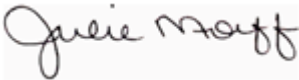
Department of Elementary and Secondary Education

Attorney General's Office

Office of the State Public Defender

Office of the State Courts Administrator

Missouri Office of Prosecution Services



Julie Morff

Director

February 6, 2025



Jessica Harris

Assistant Director

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