

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1359S.01I
Bill No.: SB 483
Subject: Crimes and Punishment; Education, Elementary and Secondary; Sexual Offenses;
Political Subdivisions; Appropriations; Libraries and Archives
Type: Original
Date: March 3, 2025

Bill Summary: This proposal modifies provisions relating to providing explicit sexual material to a student.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
General Revenue*	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
Total Estimated Net Effect on General Revenue	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown

*Oversight assumes this proposal could have a positive fiscal impact on GR if a local government/school district is found to be employing an individual found guilty of providing explicit sexual material. It is assumed savings would exceed \$250,000 annually.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
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 2026	FY 2027	FY 2028
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
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 2026	FY 2027	FY 2028
Local Government	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

*Oversight assumes this proposal could have a negative fiscal impact on a local government/school district if they were found to be employing an individual found guilty of providing explicit sexual material. It is assumed negative impact would exceed \$250,000 annually.

FISCAL ANALYSIS

ASSUMPTION

§§67.5127 and 573.550 – Providing explicit sexual material to a student

Officials from the **Office of the State Public Defender (SPD)** state per the National Public Defense Workload Study, the new charge contemplated by this change to §573.550 would take approximately twenty-two hours of SPD work for reasonably effective representation. If one hundred cases were filed under this section in a fiscal year, representation would result in a need for an additional attorney. Because the number of cases that will be filed under this statute is unknown, the exact additional number of attorneys necessary is unknown. Each case would also result in unknown increased costs in the need for core staff, travel and litigation expenses. However, if the charge was classified as a class D misdemeanor no jail time would be authorized and the cases would not qualify for SPD representation.

Oversight assumes this proposal will not create the number of new cases required to request additional FTE for the SPD 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 **Department of Elementary and Secondary Education**, the **Department of Revenue**, the **Department of Public Safety - Missouri Highway Patrol**, the **Missouri Office of Prosecution Services**, the **Office of the State Courts Administrator** and the **Mid-Continent Public Library** each assume 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.

Oversight notes the provisions of §67.5127 provides that any library district or school district that employs a person found guilty of providing explicit sexual material shall no longer be eligible to receive any funds raised by the state. Oversight assumes this provision could have a \$0 to (Unknown) impact on local governments. It is assumed that this negative impact would exceed \$250,000 annually.

Oversight further assumes any funds not provided to a library or school district would be a savings to the General Revenue Fund as these funds would not be distributed. Therefore, for fiscal note purposes, Oversight will show a \$0 to Unknown savings to General Revenue. Oversight further assumes the impact would be greater than \$250,000 annually.

Oversight only reflects the responses received from state agencies and political subdivisions; however, various county officials, schools and libraries 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 2026 (10 Mo.)	FY 2027	FY 2028
GENERAL REVENUE FUND			
<u>Savings</u> – Foundation formula funding not distributed to library or school district (§67.5127)	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
LOCAL GOVERNMENTS – LIBRARY OR SCHOOL DISTRICTS			
<u>Loss</u> – Library or School District (§67.5127) – loss of state monies p.3	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
ESTIMATED NET EFFECT ON LOCAL GOVERNMENTS	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>	<u>\$0 or (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 provides that any library district or school district that employs a person who has been found guilty of the offense of providing explicit sexual material to a student shall no longer be eligible to receive any state funds. (§67.5127)

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 Revenue

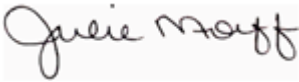
Department of Public Safety - Missouri Highway Patrol

Office of the State Public Defender

Missouri Office of Prosecution Services

Office of the State Courts Administrator

Mid-Continent Public Library



Julie Morff

Director

March 3, 2025



Jessica Harris

Assistant Director

March 3, 2025