

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4308-02
Bill No.: HB 1646
Subject: Liability; State Departments
Type: Original
Date: March 25, 2004

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials with the **Attorney General's Office** assume the costs of this proposal are unknown because it is unclear how many claims will be brought by private individuals under a false claims theory. The more claims that are brought, the more likely it is that the Attorney General will require additional resources to investigate and review these claims.

Officials with the **Department of Transportation (MoDOT)** assume additional staff time would be required to pull records and invoices, give witness testimony, trace funding, assist MoDOT's Chief Counsel's Office in making claims for the recovered funds and related damages, and provide litigation funding and support as needed by the Missouri Attorney General's Office.

The fiscal impact would depend on the number of civil actions and the amount recovered from these actions. MoDOT assumes that any monies recovered on behalf of MoDOT would be deposited into the state road fund and that any federal reimbursement funding would be returned to the Federal Highway Administration or other federal assistance agency.

Oversight assumes this would be accomplished during the normal budgetary process. Therefore, Oversight assumes the initial administrative impact of this proposal is \$0.

ASSUMPTION (continued)

Officials with the **Office of Administration - Risk Management and Administrative Hearing Commission, Office of State Courts Administrator, Department of Conservation, Department of Labor and Industrial Relations, Department of Economic Development - Public Service Commission, State Public Defender and Department of Natural Resources** assume no fiscal impact to their agencies.

<u>FISCAL IMPACT - State Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	<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.

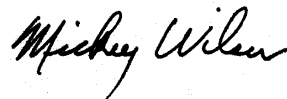
DESCRIPTION

This bill creates a civil cause of action for making false claims for money or property to the state. Each false claim carries a penalty of between \$5,000 and \$10,000, plus three times the amount of actual damages. An individual or the Attorney General may file the civil action.

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
Office of Administration
 Risk Management
 Administrative Hearing Commission
Department of Conservation
Department of Labor and Industrial Relations
Department of Economic Development
 Public Service Commission
Department of Natural Resources
State Public Defender
Department of Transportation

A handwritten signature in black ink, reading "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Director
March 25, 2004