

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3773-05
Bill No.: HCS for HB 1194
Subject: Elections: Ethics
Type: Original
Date: March 6, 2006

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>Other</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 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials of the **Office of State Court Administrator** assume the Cole County Circuit could experience some increase in the number of cases that would be filed; however, officials would not anticipate a fiscal impact on the Courts.

Officials of the **Missouri Ethics Commission** assume no fiscal impact.

Officials of the **Department of Corrections** assume impact could be \$0 to minimal; however, officials assume they could absorb any cost of this proposal with existing resources.

In response to similar legislation (3773-01, HB 1194), of this session the following agencies stated the following:

Officials of the **Office of Prosecution Services** assume no significant fiscal impact to County Prosecutors.

Officials of the **Office of State Public Defender** assume no fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<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 changes the laws regarding campaign finance disclosure report complaints. In its main provisions, the bill:

- (1) Requires that the person named in the complaint be given the complainant's name, address, and telephone number;
- (2) Permits the Missouri Ethics Commission to assess reasonable investigation and defense costs against persons filing complaints when the commission finds the complaints to be motivated by malice or reasons contrary to the spirit of the law;
- (3) Makes the complaint a closed record until the commission completes its investigation and renders its findings and conclusions;
- (4) Subjects persons or entities who disclose any information about a complaint while it is still a closed record to a civil penalty not to exceed \$2,500 and, upon conviction, a criminal penalty not to exceed \$2,500 and/or a term of imprisonment not to exceed one year;
- (5) Changes the language regarding the notice that must be given to subjects of complaints and commission investigations from "actual notice" to "notice";

DESCRIPTION (continued)

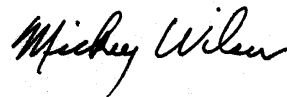
(6) Changes the body to which subjects of complaints and commission investigations may appeal commission actions from the Administrative Hearing Commission to the circuit court of Cole County; and

(7) Requires persons requesting to inspect or copy campaign finance disclosure reports to provide photo identification.

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

Missouri Ethics Commission
Office of State Court Administrator
Office of Prosecution Services
State Public Defender
Department of Corrections



Mickey Wilson, CPA
Director
March 6, 2006