

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4129-03
Bill No.: HCS for HB 1626
Subject: Immigration; Public Assistance; Department of Social Services
Type: Original
Date: February 29, 2008

Bill Summary: This legislation prohibits illegal aliens from receiving public assistance benefits.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Elementary and Secondary Education, Department of Social Services, Office of the Secretary of State, and the Department of Insurance, Financial Institutions & Professional Registration** each assume the proposal would have no fiscal impact on their respective agencies.

Officials from the **Department of Mental Health (DMH)** states the DMH does not knowingly serve persons who are not citizens or permanent residents of the United States. On occasion, a person that is not a citizen or permanent resident may be court ordered into the care and custody of the DMH for a competency evaluation. DMH does notify authorities when this happens.

Section 5 states "any applicant whose lawful presence in the United States is not established under this section shall be reported to the United States Department of Homeland Security and the United States Department of Citizenship and Immigration Services." The Department does not anticipate that this notification requirement will cause a fiscal impact. Although the Division of Alcohol and Drug Abuse (ADA) has a \$26.3 million Federal Block Grant governed by 45 CFR Part 96.132, which requires the state "to have in effect a system to protect from inappropriate disclosure patient records maintained by the State in connection with an activity funded under the program involved or by any entity which is receiving amounts from the grant", the Department assumes that the reporting requirement would be considered an appropriate disclosure under federal law. However, should the reporting requirement be determined to be an inappropriate disclosure, the ADA block grant funds could possibly be impacted. Therefore, assuming that the reporting requirement is appropriate under 45 CFR Part 96.132, the Department assumes \$0 fiscal impact.

Officials from the **Department of Health and Senior Services (DHSS)** state this proposal requires applicants to prove citizenship, permanent residence, or lawful presence in order to receive state or local public benefits. The DHSS has four General Revenue funded programs, Alternatives to Abortion, State Only In-Home Program, Non-MO HealthNet Eligible (Non-Medicaid) Program, and the Naturally Occurring Retirement Communities Program, that would be impacted by this legislation. The Department assumes the program contractors will be required to verify lawful presence to all recipients prior to administering services, therefore there is no impact to the department.

ASSUMPTION (continued)

Officials from the **Department of Higher Education (DHE)** assume the proposal would prohibit aliens unlawfully present in the U.S. from receiving state grants and scholarships, and would require applicants for grants and scholarships to provide affirmative proof of citizenship/permanent resident status. Each year, 45,000 to 50,000 Missouri students receive state grants and scholarships; each of these students would be required to provide affirmative proof of their citizenship.

The state's public colleges and universities would likely be responsible for collecting the verifying information described in this proposal. In addition, the DHE would likely be asked to provide general guidance in implementing the proposal, as well as specific guidance about particular cases. The DHE currently does not have anyone on staff who is trained in reviewing immigration documents; the agency's General Counsel and/or staff in the Grants and Scholarships Program would likely have to receive additional training.

Oversight assumes the DHE could absorb the costs of training related to this proposal. Oversight assumes any significant increase in the workload of the DHE would be reflected in future budget request.

In response to a similar proposal from this year (SB 751), officials from the **Office of the State Courts Administrator, Department of Economic Development, Office of Administration, Department of Revenue, Department of Public Safety** and the **Department of Labor and Industrial Relations** each assume the proposal would have no fiscal impact on their respective agencies.

In response to a similar proposal from this year (SB 751), officials from the **Office of the Attorney General** assume any potential costs arising from this proposal can be absorbed with existing resources.

<u>FISCAL IMPACT - State Government</u>	FY 2009 (10 Mo.)	FY 2010	FY 2011
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Local Government

FY 2009
(10 Mo.)

FY 2010

FY 2011

\$0

\$0

\$0

FISCAL IMPACT - Small Business

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

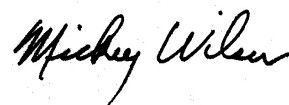
FISCAL DESCRIPTION

The proposed legislation appears to have no 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

Office of the Attorney General
Department of Higher Education
Office of Administration
Office of the State Courts Administrator
Department of Economic Development
Department of Insurance, Financial Institutions & Professional Registration
Department of Labor and Industrial Relations
Department of Revenue
Department of Public Safety
Office of the Secretary of State
Department of Social Services
Department of Health and Senior Services
Department of Mental Health
Department of Elementary and Secondary Education



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