

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4454-01
Bill No.: HB 1913
Subject: Drugs and Controlled Substances: Education, Elementary and Secondary;
Elementary and Secondary Education Department
Type: Original
Date: March 18, 2008

Bill Summary: Requires school districts to adopt policies for the testing of student athletes for the unlawful use of a controlled substance, including but not limited to anabolic steroids.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
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 2008	FY 2009	FY 2010
Local Government	(\$1,532,500)	(\$1,532,500)	(\$1,532,500)

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Secretary of State (SOS)** assume many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact to the SOS office for Administrative Rules for this proposal is less than \$2,500. The SOS recognizes this is a small amount and does not expect additional funding would be required to meet these costs. However, SOS also recognizes that many such bills may be passed in a given year and that collectively the costs may be in excess of what the SOS can sustain with their core budget. Any additional required funding would be handled through the budget process.

Officials from the **Department of Elementary and Secondary Education (DESE)** report that per the 2006-07 Missouri State Highway School Activities Association Participation Survey, as of February 1, 2007, there were 175,229 participants in various categories of high school athletics.

DESE estimates the cost for a test kit and clinical analysis to be \$50. The proposal does not indicate how often "random" testing is to occur or to what extent the population is to be tested. Assuming all students are tested for each category of high school athletics, the total cost per year could be estimated as follows: $175,229 \text{ student athletes} \times \$50 = \$8,761,450$.

Oversight assumes that many students participate in more than one sport. For fiscal note purposes only, Oversight will assume that 30% of the students participate in more than one sport and that 25% of the students will be randomly selected for drug testing. Costs are calculated as follows: $122,600 \text{ student athletes} \times \$50 \text{ per drug test} \times 25\% \text{ selected for testing} = \$1,532,500$. Oversight also notes that student drug testing programs have been congressionally authorized as an acceptable use of Safe and Drug-Free Schools money through the No Child Left Behind Act of 2001. Other federal and private grant programs may be available for funding student drug-testing programs.

Officials from the **Parkway School District** state the cost to their district would be approximately \$60,000 per year.

Officials from the **Frances Howell School District** state their district already has a random drug testing program for students in grades 9-12. Anabolic steroids are screened for on a random basis, not with every drug screen. Last year, they tested 660 students, and about 10% of those included a test for anabolic steroids. The proposed legislation calls for all random screens to

ASSUMPTION (continued)

include an anabolic steroid test. The cost for an anabolic steroid test is about \$175. Last year their district spent \$33,000 on random drug testing. The inclusion of anabolic steroids in all tests would add another \$105,000 to that cost.

In response to an identical proposal (SB 736 - FN 3522-02N), officials from the **St Louis Public School District** assumed significant costs are attached to drug testing and assume this will be a cost to their district.

<u>FISCAL IMPACT - State Government</u>	FY 2008 (10 Mo.)	FY 2009	FY 2010
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2008 (10 Mo.)	FY 2009	FY 2010
---	---------------------	---------	---------

POLITICAL SUBDIVISIONS

Cost - School Districts - Testing student athletes for use of controlled substances, including anabolic steroids

<u>(\$1,532,500)</u>	<u>(\$1,532,500)</u>	<u>(\$1,532,500)</u>
----------------------	----------------------	----------------------

**ESTIMATED NET EFFECT ON
POLITICAL SUBDIVISIONS**

<u>(\$1,532,500)</u>	<u>(\$1,532,500)</u>	<u>(\$1,532,500)</u>
-----------------------------	-----------------------------	-----------------------------

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

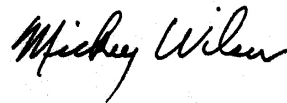
This proposed legislation requires school boards to adopt policies for the random testing of students participating in interscholastic athletics for the unlawful use of a controlled substance, including but not limited to anabolic steroids. A student who tests positive for the unlawful use of a controlled substance or anabolic steroids shall not be allowed to participate in interscholastic sports or intramural sports for the remainder of the academic year or the next academic year. The Department of Elementary and Secondary Education shall promulgate rules to implement this section.

DESCRIPTION (continued)

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
Office of Secretary of State
 Administrative Rules Division
School Districts
 Francis Howell
 Parkway
 St Louis Public Schools



Mickey Wilson, CPA
Director
March 18, 2008