

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4594-02  
Bill No.: HB 1485  
Subject: Telecommunications  
Type: Original  
Date: March 25, 2014

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Bill Summary: This proposal changes the laws regarding telephone solicitation to include surveys by state or local governments, agencies, or political subdivisions.

**FISCAL SUMMARY**

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Federal Funds	\$0 or (\$85,100)	\$0 or (\$85,100)	\$0 or (\$85,100)
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0 or (\$85,100)</b>	<b>\$0 or (\$85,100)</b>	<b>\$0 or (\$85,100)</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

☐ 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).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials at the **Department of Labor and Industrial Relations (DOLIR)** work collaboratively with the Bureau of Labor Statistics (BLS) to collect the Survey of Occupational Injuries and Illnesses. The survey is mailed to approximately 5,700 Missouri employers annually. The survey is mandatory for approximately 5,500 private industry employers each year under Public Law 91-596. The survey is voluntary for the remaining public sector employers. The survey is supposed to be completed within 30 days of receipts. There is a second and third mailing. After allowing the additional time to respond, the Department makes phone calls to all employers that have not responded to the survey. There may be as many as 20% of the employers that the Department has to contact by phone to request a response. The Department only contacts the public sector employers once, but continues to call the private sector employers until a response is received.

The Department is required to have at least an 85% survey rate per the cooperative agreement with BLS. There could be a fiscal impact if Missouri did not reach the required survey rate. The Department has not received a response from the BLS about the consequences of not meeting the required survey rate.

If the law is interpreted to only prevent contacting residential telephone subscribers, this law would not hinder the normal conduct of the survey because the Department contacts business establishments not "residential subscribers". However, the bill could impact those establishments where the personal/home phone and official business phone are the same. In such cases, it is not clear as to whether or not the Department would be violating Missouri law by contacting the respondent on what is designated as both a home (personal phone) and a business phone.

There will be no impact if the bill is interpreted to permit the solicitation currently conducted by the Department. However the bill would have a financial impact if it is interpreted to prohibit the solicitation currently conducted and prevents the Department from achieving the 85% response rate. The federal funding for this survey totaling \$85,100 could be in jeopardy.

Officials at the **Office of the Attorney General** assume that any potential costs arising from this proposal can be absorbed with existing resources.

Officials at the **Department of Economic Development** assume no fiscal impact from this proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2015 (10 Mo.)	FY 2016	FY 2017
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**FEDERAL FUNDS**

<u>Loss - DOLIR - funding for completion of survey between DOLIR and BLS</u>	<u>\$0 or (\$85,100)</u>	<u>\$0 or (\$85,100)</u>	<u>\$0 or (\$85,100)</u>
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<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>	<b><u>\$0 or (\$85,100)</u></b>	<b><u>\$0 or (\$85,100)</u></b>	<b><u>\$0 or (\$85,100)</u></b>
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<u>FISCAL IMPACT - Local Government</u>	FY 2015 (10 Mo.)	FY 2016	FY 2017
	<u><b>\$0</b></u>	<u><b>\$0</b></u>	<u><b>\$0</b></u>

FISCAL IMPACT - Small Business

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

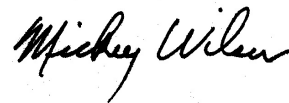
FISCAL DESCRIPTION

This bill includes informational surveys conducted by state agencies or on behalf of state agencies in the types of communications that may be classified as telephone solicitations and prohibited or otherwise regulated under the state's No Call List program.

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 Economic Development  
Department of Labor and Industrial Relations

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

Mickey Wilson, CPA  
Director  
March 25, 2014

Ross Strobe  
Assistant Director  
March 25, 2014