

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4258-01
Bill No.: HB 1755
Subject: Children and Minors; Domestic Relations
Type: Original
Date: February 12, 2016

Bill Summary: This proposal specifies that parental liberty to direct the upbringing, education, and care of his or her children is a fundamental right not subject to infringement without demonstrating a compelling governmental interest.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 7 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any Of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Local Government	(Unknown greater than \$100,000)	(Unknown greater than \$100,000)	(Unknown greater than \$100,000)

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Everton R-III School District** assume the proposal would cost them \$50,000 per year.

Officials from the **Shell Knob School District** assume this proposal would have a huge negative fiscal impact on the school district.

Officials from the **Concordia R-II School District** assume parents could question class lessons or homework based on the current wording of the proposal. This questioning would lead to calls to the school district's attorney. At the present time, the attorney's fee is \$185 per hour. Assuming two hours of legal time a week until clarification of the law/guidelines are established, it is assumed the school district would incur estimated costs of \$6,660 per year excluding any lawsuits that might be filed ($\$185/\text{hour} \times 36 \text{ week school year} \times 2 \text{ hours per week} = \$6,660$).

Officials from the **City of St. Charles School District** state the proposal will have an unknown fiscal impact on their organization.

Officials from the **Malta Bend School District** assume the proposal may have a small impact on their school district.

Oversight assumes some school districts may incur legal fees as a result of this proposal and will present unknown costs exceeding \$100,000 annually for school districts.

Officials from the **Office of Attorney General (AGO)** assume any potential costs arising from this proposal can be absorbed with existing resources. The AGO may seek additional appropriations if the proposal results in a significant increase in cases.

Officials from the **Department of Elementary and Secondary Education**, the **Department of Health and Senior Services**, the **Department of Mental Health**, the **Department of Social Services**, divisions of: **Legal Services**, **Youth Services** and **Children's**, the **Office of State Courts Administrator**, the **Chilhowee R-IV School District**, **East Newton R-VI Schools**, the **Eldon School District**, the **Fox C-6 School District**, the **Kansas City Public Schools**, the **Kearney R1 School District**, the **Kingston 42 School District**, the **Macon County R-IV Schools**, the **New Haven School District**, **Parkway Schools**, the **Riverview Gardens School District**, the **Sarcoxie R-II School District** and the **Warren County R-III School District** each assume the proposal would not fiscally impact their respective agencies.

ASSUMPTION (continued)

Officials from the **Chillicothe R-II School District** and the **Wright City R-II School District** responded to **Oversight's** request but did not provide a statement of fiscal impact.

Officials from the following **school districts**: Arcadia Valley R-2, Avilla R-13, Bakersfield, Belton, Benton County R-2, Bismark R-5, Bloomfield R-14, Blue Springs, Bolivar R-I, Bowling Green R-1, Branson, Brentwood, Bronaugh R-7, Campbell R-2, Carrollton R-7, Caruthersville, Cassville R-4, Central R-III, Clarkton C-4, Cole R-I, Columbia, Crawford County R-1, Crocker R-II, Delta C-7, East Carter R-2, Fair Grove, Fair Play, Fayette R-3, Forsyth R-3, Fredericktown R-I, Fulton, Grain Valley, Hancock Place, Hannibal, Harrisonburg R-8, Harrisonville, Hillsboro R-3, Hollister R-5, Humansville R-4, Hurley R-1, Independence, Jefferson City, Kennett #39, King City R-1, Kirbyville R-VI, Kirksville, Lee Summit, Leeton R-10, Lewis County C-1, Lindbergh, Lonedell R-14, Macon County R-1, Mehville, Meramec Valley R-3, Mexico, Middle Grove C-1, Midway R-1, Milan C-2, Moberly, Monroe City R-I, Morgan County R-2, Nixa, North St. Francois Co. R-1, Northeast Nodaway R-5, Odessa R-VII, Oregon-Howell R-III, Orrick R-11, Osage County R-II, Osborn R-O, Pattonville, Pettis County R-12, Pierce City, Plato R-5, Princeton R-5, Raymore-Peculiar R-III, Raytown, Reeds Springs R-IV, Renick R-5, Richland R-1, Richmond R-XVI, Salisbury R-4, Scotland County R-I, Sedalia, Seymour R-2, Shelby County R-4, Sikeston, Silex, Smithville R-2, Special School District of St. Louis County, Spickard R-II, Springfield, St Joseph, St Louis, St. Elizabeth R-4, Sullivan, Valley R-6, Verona R-7, Warrensburg R-6, Webster Groves, West Plains R-VII, and Westview C-6 School District did not respond to **Oversight's** request for fiscal impact.

FISCAL IMPACT - State Government

FY 2017
(10 Mo.)

FY 2018

FY 2019

\$0

\$0

\$0

FISCAL IMPACT - Local Government

FY 2017
(10 Mo.)

FY 2018

FY 2019

LOCAL GOVERNMENT - SCHOOL DISTRICTS

Costs - School Districts

Increase in legal fees

(Unknown
greater than
\$100,000)

(Unknown
greater than
\$100,000)

(Unknown
greater than
\$100,000)

**ESTIMATED NET EFFECT ON
LOCAL GOVERNMENTS - SCHOOL DISTRICTS**

(Unknown
greater than
\$100,000)

(Unknown
greater than
\$100,000)

(Unknown
greater than
\$100,000)

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

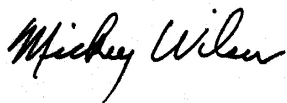
This bill specifies that the liberty of a parent to direct the upbringing, education, and care of his or her child is a fundamental right. The State of Missouri and any political subdivision of the state is prohibited from infringing on this right without demonstrating a compelling governmental interest.

Any law or policy must be narrowly tailored and by the least restrictive means to achieve the interest. These provisions apply to all laws of the state, whether adopted before or after the enactment of these provisions. Any law adopted after the enactment of these provisions is exempt only if the law explicitly excludes the application by reference to these provisions.

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 Attorney General
Department of Elementary and Secondary Education
Department of Health and Senior Services
Department of Mental Health
Department of Social Services -
 Legal Services Division
 Division of Youth Services
 Children's Division
Office of State Courts Administrator
Chilhowee R-IV School District
Chillicothe R-II School District
City of St. Charles School District
Concordia R-II School District
East Newton R-VI Schools
Eldon School District
Everton R-III School District
Fox C-6 School District
Kansas City Public Schools
Kearney R1 School District
Kingston 42 School District
Macon County R-IV Schools
Malta Bend School District
New Haven School District
Parkway Schools
Riverview Gardens School District
Sarcoxie R-II School District
Shell Knob School District
Warren County R-III School District
Wright City R-II School District



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Director

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