

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0218-01
Bill No.: HB 367
Subject: Higher Education; Crimes and Punishment; Law Enforcement Officers and Agencies
Type: Original
Date: January 31, 2017

Bill Summary: This proposal establishes the Enough is Enough Act regarding college sexual assault policies.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
College & University	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
Total Estimated Net Effect on <u>Other</u> State Funds	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

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

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
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 2018	FY 2019	FY 2020
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials at the **Department of Higher Education** assume there is no fiscal impact from this proposal to their Department. They note that this proposal would require a memorandum of understanding between institutions and municipal law enforcement agencies, effectively duplicating §173.2050.

Oversight notes that currently §173.2050 requires public higher education institutions and law enforcement agencies to have memorandums of understanding in place regarding sexual assault, domestic violence, dating violence and stalking. Therefore, Oversight assumes this portion of the proposal would not have a fiscal impact.

Officials at the **Northwest Missouri State University** assume a cost of \$25,000.

Officials at the **Missouri Western State University** assume an impact of \$4,000 annually to distribute written materials to students on our sexual assault policy once an academic year.

Officials at the **University of Missouri** assume no significant fiscal impact.

Officials at the **Missouri State University, State Technical College of Missouri, Truman State University** and the **University of Central Missouri** each assume there is no fiscal impact from this proposal to their respective institution.

Officials at the **Boone County Sheriff, St. Louis County Justice Services, St. Louis County Police Department** and the **Springfield Police Department** each assume there is no fiscal impact from this proposal to their respective organization.

Oversight notes a portion of this proposal requires the higher education institutions to distribute written copies of its sexual assault policies to students at least once a year. Oversight assumes that the institutions may be able to include the required materials with other policies and procedures distributed to students at the start of the school year. Also, subsection 173.2100.10 requires each institution of higher education to employ at least one full-time investigator of Title IX complaints for every 20,000 students enrolled. Oversight does not know if all institutions currently meet this new requirement. Therefore, Oversight will show the impact of this bill as \$0 to (Unknown) for the distribution of the materials and/or hiring of additional FTE to meet the requirements of subsection 173.2100.10.

<u>FISCAL IMPACT - State Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
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COLLEGE & UNIVERSITY FUNDS

<u>Cost</u> - distribution of sexual assault materials and/or to meet requirements of employing 1 FTE per 20,000 students enrolled to investigate Title IX complaints.	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
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ESTIMATED NET EFFECT ON COLLEGE & UNIVERSITY FUNDS	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
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<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

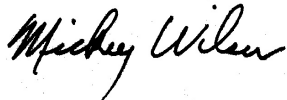
This bill establishes the "Enough is Enough Act" which requires all higher education institutions to comply with Sections 1681 to 1688 of Title IX of the Education Amendments of 1972 and shall employ at least one person, for every 20,000 students, to investigate Title IX complaints.

In addition, the institutions' sexual assault policies shall contain an affirmative consent standard to determine whether the parties consented to sexual activity and specify that no student who reports, in good faith, a sexual assault incident shall be subject to discipline for violation of any drug or alcohol policy in relation to the incident.

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

Boone County Sheriff
Department of Higher Education
Missouri State University
Missouri Western State University
Northwest Missouri State University
Springfield Police Department
State Technical College of Missouri
St. Louis County Police Department
St. Louis County Justice Services
Truman State University
University of Central Missouri
University of Missouri



Mickey Wilson, CPA
Director
January 31, 2017

Ross Strobe
Assistant Director
January 31, 2017