

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1990-01
Bill No.: HB 931
Subject: Secretary of State; State Departments; Administrative Law; Administrative Rules
Type: Original
Date: April 5, 2019

Bill Summary: This proposal modifies the process for promulgation of an emergency rule by a state agency.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
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 2020	FY 2021	FY 2022
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
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 2020	FY 2021	FY 2022
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the 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 for this fiscal note to the SOS for Administrative Rules is less than \$5,000. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with the core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could require additional resources.

Officials from the **Joint Committee on Administrative Rules (JCAR)** state this legislation is not anticipated to cause a fiscal impact beyond its current appropriation.

Oversight assumes JCAR will be able to administer any rules resulting from this proposal with existing resources.

Officials from the **Department of Economic Development** assume due to the infrequency of emergency rules processed, it is not expected there would be any additional annual cost. The PSC expects to be able to process any emergency rules with existing staff and appropriation authority.

Officials from the **Department of Public Safety-Office of the Director, Department of Social Services, Department of Public Safety-Veterans Commission, Department of Public Safety-National Guard, State Auditor's Office, Department of Elementary and Secondary Education, Department of Mental Health, Department of Corrections, Department of Insurance, Financial Institutions and Professional Registration, Office of Administration-Budget and Planning, Department of Labor and Industrial Relations, Missouri Department of Conservation, Attorney General's Office, Missouri Ethics Commission, Department of Transportation, Department of Agriculture, Department of Public Safety-Missouri State**

ASSUMPTION (continued)

Highway Patrol, Office of the Governor, Office of State Courts Administrator, Missouri House of Representatives, Office of Administration-Administrative Hearing Commission, MoDOT and Patrol Employees Retirement System, Department of Natural Resources, Department of Health and Senior Services, Department of Higher Education, Office of Administration, Department of Public Safety-Capitol Police, Office of Prosecution Services, Department of Public Safety-Alcohol and Tobacco Control, Department of Public Safety-State Emergency Management Agency, Missouri Senate, Missouri Tax Commission, Missouri Consolidated Health Care Plan, Missouri Lottery Commission, Office of the State Public Defender, Missouri State Employees' Retirement System, Department of Revenue, Legislative Research, and Department of Public Safety-Fire Safety each assume the proposal will have no fiscal impact on their organization.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note for these agencies.

<u>FISCAL IMPACT - State Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

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 direct fiscal impact.

FISCAL 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

Office of the Secretary of State
Joint Committee on Administrative Rules
Department of Economic Development
Department of Public Safety-Office of the Director
Department of Social Services
Department of Public Safety-Veterans Commission
Department of Public Safety-National Guard
State Auditor's Office
Department of Elementary and Secondary Education
Department of Mental Health
Department of Corrections
Department of Insurance, Financial Institutions and Professional Registration
Office of Administration-Budget and Planning
Department of Labor and Industrial Relations
Missouri Department of Conservation
Attorney General's Office
Missouri Ethics Commission
Department of Transportation
Department of Agriculture
Department of Public Safety-Missouri State Highway Patrol
Office of the Governor
Office of State Courts Administrator
Missouri House of Representatives
Office of Administration-Administrative Hearing Commission
MoDOT and Patrol Employees Retirement System
Department of Natural Resources
Department of Health and Senior Services
Department of Higher Education
Office of Administration
Department of Public Safety-Capitol Police
Office of Prosecution Services
Department of Public Safety-Alcohol and Tobacco Control
Department of Public Safety-State Emergency Management Agency

SOURCES OF INFORMATION (continued)

Missouri Senate
Missouri Tax Commission
Missouri Consolidated Health Care Plan
Missouri Lottery Commission
Office of the State Public Defender
Missouri State Employees' Retirement System
Department of Revenue
Legislative Research
Department of Public Safety-Fire Safety



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