

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3779-01
Bill No.: HB 1300
Subject: Vital Statistics; Domestic Relations; Crimes and Punishment; Victims of Crimes
Type: Original
Date: January 27, 2020

Bill Summary: This proposal modifies provisions relating to vital records.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
General Revenue	(\$53,570 to \$127,776)	(\$54,164 to \$143,210)	(\$54,703 to \$146,749)
Total Estimated Net Effect on General Revenue	(\$53,570 to \$127,776)	(\$54,164 to \$143,210)	(\$54,703 to \$146,749)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
MOPHS (0298)	\$0	\$0	\$0
Endowed Care Cemetery Audit (0562)	\$0 to (\$8,246)	\$0 to (\$9,894)	\$0 to (\$9,894)
Children's Trust (0694)	\$0 to (\$41,226)	\$0 to (\$49,470)	\$0 to (\$49,470)
Total Estimated Net Effect on <u>Other</u> State Funds	\$0 to (\$49,472)	\$0 to (\$59,364)	\$0 to (\$59,364)

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 13 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
General Revenue	1 FTE	1 FTE	1 FTE
Total Estimated Net Effect on FTE	1 FTE	1 FTE	1 FTE

☒ 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 2021	FY 2022	FY 2023
Local Government	(Unknown)	(Unknown)	(Unknown)

FISCAL ANALYSIS

ASSUMPTION

For fiscal note purposes, **Oversight** is presenting the fiscal impact for birth certificates for homeless children/unaccompanied youth (§193.265.1 and .4) separately from the fiscal impact of free birth certificates for victims of domestic violence or abuse. The language of §193.265.1 and .4 is very similar to the language proposed this session in HB 1579 and HB 1286, therefore, for fiscal note purposes, Oversight will present the same fiscal impact as was presented for those fiscal notes.

§193.265 - Free birth certificates for homeless child/youth and unaccompanied youth and domestic violence victims

Officials from the **Department of Health and Senior Services (DHSS)** state §193.264.1 states that no fee shall be required for a birth, death, or marriage certificate by a parent or guardian of a homeless child or homeless youth as defined in subsection 1 of section 167.020, an unaccompanied youth as defined in 42 U.S.C. Section 11434a(6). According to the United States Interagency Council on Homelessness, Missouri had an estimated youth and children homeless population of 32,133 as of January 2018, of which 3,944 were unaccompanied homeless students.

DHSS states §195.265.3 of the proposed legislation states that no fee shall be required for a birth certificate if the request is made by a victim of domestic violence or abuse and the victim provides documentation that is signed by an employee, agent, or volunteer of a victim service provider, an attorney or a health care or mental health professional that the victim has sought assistance from for the domestic violence or abuse or by a parent, guardian, or homeless youth. Per Missouri Coalition against Domestic and Sexual Violence (MCADS) 2017 statistical data, 35,983 victims of domestic and sexual violence received services and 30,826 victims requested services but the requests were unmet, for a total of 66,809 victims that sought services.

§193.264.1 - Homeless children/unaccompanied youth birth certificates

DHSS has no way to estimate how many parents or guardians of a homeless child or homeless youth would submit requests for birth, marriage, or death certificates. The department estimates that not enough homeless children or homeless unaccompanied youth would require access to certified marriage or death certificates to create measurable impact, thus those have not been included in this fiscal note. This will cause a loss of revenue to state funds. The impact ranges from zero utilization of the fee exemption to 100 percent utilization of the fee exemption among the eligible populations.

The estimated loss of fees for requests at 100 percent issuance of the identified populations of 32,133 homeless youth could range from \$0 to \$401,662 for FY2021 and \$0 to \$481,995 for

ASSUMPTION (continued)

FY2022 and FY2023.

Per Section 193.265, RSMo, DHSS receives a fee of \$15 for each certified birth certificate statement issued. The fees are distributed into General Revenue (\$4), the Children's Trust Fund (\$5), the Endowed Care Cemetery Audit Fund (\$1) and the Missouri Public Health Services (MOPHS) Fund (\$5). General Revenue would be used to replace the MOPHS fees lost.

The loss of revenue of certificate fees to the state funds listed above is detailed in the table below.

Fund Name	FY2021	FY2022	FY2023
General Revenue	\$0 - \$107,110	\$0 - \$128,532	\$0 - \$128,532
Children's Trust Fund	\$0 - \$133,887	\$0 - \$160,665	\$0 - \$160,665
Endowed Care Cemetery Audit Fund	\$0 - \$26,778	\$0 - \$32,133	\$0 - \$32,133
MOPHS Fund	\$0 - \$133,887	\$0 - \$160,665	\$0 - \$160,665

The fees that are collected on certified copies are deposited into the MOPHS fund (\$5 per certificate) and are allocated to the Bureau of Vital Records for program operations. The loss of funds to MOPHS is estimated at the range of \$0 to \$133,887 in FY2021, and \$0 to \$160,665 in FY2022 and FY2023. MOPHS revenue supports the maintenance of Missouri's electronic birth and death registration system (MoEVR), staff to process all requests, and specialized print paper. The maintenance of the MoEVR system is critical for the accurate and timely processing of Missouri birth and death certificates. The revenue lost from issuing these additional certificates necessitates the need to seek General Revenue funds to supplant the loss.

Based on the additional requests that could be made, up to three (3) Public Health Data Technician (PHDT) FTE may be required. Processing entails reviewing the application and making a determination on whether the applicant has provided sufficient information to identify the record, and either reject the application or issue the certified copy. The average annual salary of a PHDT is \$28,527.

Oversight notes from discussions with DHSS officials, DHSS applied a fiscal impact range of 0 - 100% because, while the impact is unknown, they believe the number of qualifying individuals who will apply for a free birth certificate will be minimal due to the target population most likely being unaware of the legislation.

Since DHSS believes the number of individuals actually applying for a free birth certificate will

ASSUMPTION (continued)

be minimal, Oversight, for fiscal note purposes, assumes it is possible for up to 10% of homeless youth or parents of homeless or unaccompanied youth to request a free birth certificate annually.

Oversight does not assume 100% of victims will request a free birth certificate annually, although this legislation does not contain a provision to limit the number issuances. Therefore, Oversight assumes costs could exceed the lower limits of DHSS' estimate and will present the loss of certificate fees as zero to 10% of the 100% estimate provided by DHSS.

32,133 Homeless Youth & Children x 10% = 3,213 free birth certificates x \$15 = \$48,195
potential lost fees

Fund Name	FY2021 (10/12)	FY2022	FY2023
General Revenue (\$4)	\$0 to (\$10,710)	\$0 to (\$12,852)	\$0 to (\$12,852)
Children's Trust Fund (\$5)	\$0 to (\$13,388)	\$0 to (\$16,065)	\$0 to (\$16,065)
Endowed Care Cemetery Audit Fund (\$1)	\$0 to (\$2,678)	\$0 to (\$3,213)	\$0 to (\$3,213)
MOPHS Fund (\$5)	\$0 to (\$13,388)	\$0 to (\$16,065)	\$0 to (\$16,065)
Total Lost Fees	\$0 to (\$40,164)	\$0 to (\$48,195)	\$0 to (\$48,195)

In addition, language in the proposal does not provide for replacement of funds to the MOPHS Fund for a reduction in revenues received as a result of the issuance of free birth certificates.

Oversight assumes funds may be replaced and will range replacement of funds as \$0 to could the lower limit of funds lost to the MOPHS Fund from the General Revenue Fund.

Oversight also notes DHSS assumes it will need up to three new FTE as a result of the provisions of this proposal. Because Oversight assumes the number of free birth certificates issued may be up to 10% of the homeless/unaccompanied youth population (32,133 homeless x 10% = 3,213 total free birth certificates per year), Oversight further assumes the DHSS will not need additional FTE to issue the minimal number of birth certificates anticipated. However, if these assumption prove incorrect, DHSS may request additional funding and staff through the appropriations process.

§193.265.3 - Victims of domestic violence birth certificates

DHSS has no way to estimate how many victims of domestic violence would submit requests for

ASSUMPTION (continued)

birth, marriage, or death certificates. The impact ranges from zero utilization of the fee exemption to 100 percent utilization of the fee exemption among the eligible populations.

The estimated loss of fees for requests at 100 percent issuance of the identified populations of 66,809 victims of domestic abuse could range from \$0 to \$835,112 for FY2021 and \$0 to \$1,002,135 for FY2022 and FY2023.

Per Section 193.265, RSMo, DHSS receives a fee of \$15 for each certified birth certificate statement issued. The fees are distributed into General Revenue (\$4), the Children's Trust Fund (\$5), the Endowed Care Cemetery Audit Fund (\$1) and the Missouri Public Health Services (MOPHS) Fund (\$5). General Revenue would be used to replace the MOPHS fees lost.

The loss of revenue of certificate fees to the state funds listed above is detailed in the table below.

Fund Name	FY2021	FY2022	FY2023
General Revenue	\$0 - \$222,697	\$0 - \$267,236	\$0 - \$267,236
Children's Trust Fund	\$0 - \$278,371	\$0 - \$334,045	\$0 - \$334,045
Endowed Care Cemetery Audit Fund	\$0 - \$55,674	\$0 - \$66,809	\$0 - \$66,809
MOPHS Fund	\$0 - \$278,371	\$0 - \$334,045	\$0 - \$334,045

The fees that are collected on certified copies are deposited into the MOPHS fund (\$5 per certificate) and are allocated to the Bureau of Vital Records for program operations. The loss of funds to MOPHS is estimated at the range of \$0 to \$278,371 in FY2021, and \$0 to \$334,045 in FY2022 and FY2023. MOPHS revenue supports the maintenance of Missouri's electronic birth and death registration system (MoEVR), staff to process all requests, and specialized print paper. The maintenance of the MoEVR system is critical for the accurate and timely processing of Missouri birth and death certificates. The revenue lost from issuing these additional certificates necessitates the need to seek General Revenue funds to supplant the loss.

Based on the additional requests that could be made, the number of FTE of a Public Health Data Technician (\$28,527) FTE that would be required would range between zero (0) and eight (8) to process certificates within a timely manner (**Oversight** notes this includes up to 3 FTE for processing birth certificates for homeless youth/unaccompanied minors). Processing entails reviewing the application and making a determination on whether the applicant has provided sufficient information to identify the record, and either reject the application or issue the certified

ASSUMPTION (continued)

copy. If all eight FTE are needed, the salary costs will be \$228,216 annually (\$28,527 x 8).

Oversight notes from discussions with DHSS officials, DHSS applied a fiscal impact range of 0 - 100% because, while the impact is unknown, they believe the number of qualifying individuals who will apply for a free birth certificate for will be minimal due the target population most likely being unaware of the legislation.

Since DHSS believes the number of individuals actually applying for a free birth certificate will be minimal, Oversight, for fiscal note purposes, assumes it is possible for up to 10% of victims of domestic violence to request a free birth certificate annually. Oversight does not assume 100% of victims will request a free birth certificate annually and notes this legislation provides that the victim may only be eligible one time for a fee waiver. Therefore, Oversight assumes costs could exceed the lower limits of DHSS' estimate and will present the loss of certificate fees as zero to 10% of the 100% estimate provided by DHSS.

66,809 Victims of Domestic Violence x 10% = 6,681 free birth certificates x \$15 = \$100,215
potential lost fees

Fund Name	FY2021 (10/12)	FY2022	FY2023
General Revenue (\$4)	\$0 to (\$22,270)	\$0 to (\$26,724)	\$0 to (\$26,724)
Children's Trust Fund (\$5)	\$0 to (\$27,838)	\$0 to (\$33,405)	\$0 to (\$33,405)
Endowed Care Cemetery Audit Fund (\$1)	\$0 to (\$5,568)	\$0 to (\$6,681)	\$0 to (\$6,681)
MOPHS Fund (\$5)	\$0 to (\$27,838)	\$0 to (\$33,405)	\$0 to (\$33,405)
Total Lost Fees	\$0 to (\$83,514)	\$0 to (\$100,215)	\$0 to (\$100,215)

In addition, language in the proposal does not provide for replacement of funds to the MOPHS Fund for a reduction in revenues received as a result of the issuance of free birth certificates.

Oversight assumes funds may be replaced and will range replacement of funds as \$0 to could the lower limit of funds lost to the MOPHS Fund from the General Revenue Fund.

Oversight also notes DHSS assumes it will need up to eight new FTE as a result of the provisions of this proposal (3 FTE relate to homeless children/unaccompanied youth; therefore, it is assumed 5 FTE relate to victims of domestic violence). Because Oversight assumes the number of free birth certificates issued may be up to 10% of the homeless/unaccompanied youth

ASSUMPTION (continued)

population and victims of domestic violence (32,133 homeless + 66,809 domestic violence = 98,942 x 10% = 9,894 total free birth certificates per year), Oversight further assumes the DHSS may need additional one (1) FTE to issue the minimal number of birth certificates anticipated (98,942 birth certificates estimated / 8 FTE requested = 12,368 birth certificates per FTE; 9,894 (98,942 x 10%) estimated birth certificates issued / 12,368 certificates per FTE = 0.8 FTE, rounded up). However, if these assumption prove incorrect, DHSS may request additional funding and staff through the appropriations process.

Bill as a whole

In response to similar legislation from the current session (HB 1579), officials from the **Columbia/Boone County Department of Public Health and Human Services (PHHS)** stated this bill would result in a loss of revenue for the PHSS. §193.265.1 of the proposed legislation states no fee will be required for a birth certificate if the request is made by a parent/guardian of a homeless child or youth or an unaccompanied youth.

Per §193.265, RSMo, PHHS receives \$15 for each certified birth certificate statement issued. PHHS estimates a minimum of 25 homeless children in Boone County. For fiscal note purposes, it is estimated that 10 percent of the above population would request a birth certificate resulting in approximately 3 (25 x 10% = 2.5 – rounded to 3) certificates issued annually. If 100 percent of the population requested certificates, approximately 25 could be issued annually (actual numbers could be higher depending on the actual number of homeless children). The combined loss of fees for requests at 10 percent and 100 percent issuance of the identified populations for FY 2021, FY 2022, and FY 2023 are listed in the table below:

	FY 2021 (10 months) 10% issuance	FY 2021 (10 months) 100% issuance	FY 2022 and FY 2023 10% issuance	FY 2022 and FY 2023 100% issuance
Homeless Youth Requests	\$37.50 - unknown	\$312.50 - unknown	\$45 – unknown for each year	\$375 – unknown for each year

Calculations:

FY 2021, 10% issuance = 3 certificates x \$15 per certificate x (10months/12months) = \$37.50

FY 2021, 100% issuance = 25 certificates x \$15 per certificate x (10months/12months) = \$312.50

ASSUMPTION (continued)

FY 2022 and 2023, 10% issuance = 3 certificates x \$15 per certificate = \$45

FY 2022 and 2023, 100% issuance = 25 certificates x \$15 per certificate = \$375

Oversight notes the Cooper County Public Health Center has stated the proposal would not have a direct fiscal impact on their organization. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this organization.

Oversight notes in response to similar legislation from the current session (HB 1579), the **Adair County Health Department** stated the proposal would not have a direct fiscal impact on their organization. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this organization.

Oversight notes DHSS' assumption that the number of individuals actually applying for a free birth certificate will be minimal. However, since the provisions of this proposal provide fee birth certificates to homeless children/unaccompanied youth and victims of domestic violence or abuse, **Oversight** assumes, for fiscal note purposes, the fiscal impact to local public health agencies will be (Unknown).

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other local public health agencies were requested to respond to this proposed legislation but did not. A general listing of political subdivisions included in our database is available upon request.

<u>FISCAL IMPACT - State Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023
GENERAL REVENUE FUND			
<u>Transfer-out - DHSS</u>			
Transfer to MOPHS for maintenance of MoEVR to replace fees lost due to free birth certificates (§193.265.1 and .4) p. 4 & 5	\$0 to (\$13,388)	\$0 to (\$16,065)	\$0 to (\$16,065)
Transfer to MOPHS for maintenance of MoEVR to replace fees lost due to free birth certificates (§193.265.3) p. 7	\$0 to (\$27,838)	\$0 to (\$33,405)	\$0 to (\$33,405)
<u>Costs - DHSS (§193.265) p. 6 - 8</u>			
Personal service	(\$23,773)	(\$28,812)	(\$29,100)
Fringe benefits	(\$17,495)	(\$19,169)	(\$19,264)
Equipment and expense	<u>(\$12,302)</u>	<u>(\$6,183)</u>	<u>(\$6,339)</u>
Total <u>Costs</u> - DHSS	<u>(\$53,570)</u>	<u>(\$54,164)</u>	<u>(\$54,703)</u>
FTE Change - DHSS	1 FTE	1 FTE	1 FTE
<u>Loss - DHSS</u>			
Reduction in birth certificate fee revenue (§193.265.1 and .4) p. 5	\$0 to (\$10,710)	\$0 to (\$12,852)	\$0 to (\$12,852)
Reduction in birth certificate fee revenue (§193.265.3) p. 7	<u>\$0 to (\$22,270)</u>	<u>\$0 to (\$26,724)</u>	<u>\$0 to (\$26,724)</u>
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>(\$53,570 to (\$127,776)</u>	<u>(\$54,164 to \$143,210)</u>	<u>(\$54,703 to \$146,749)</u>
Estimated Net FTE Change on the General Revenue Fund	1 FTE	1 FTE	1 FTE

FISCAL IMPACT - State Government

FY 2021
 (10 Mo.)

FY 2022

FY 2023

**MISSOURI PUBLIC HEALTH
 SERVICE FUND (#0298)**

Transfer-in - DHSS

Transfer-in from General Revenue for
 maintenance of MoEVR to replace fees
 lost due to free birth certificates
 (§193.265.1 and .4) p. 5

\$0 to \$13,388

\$0 to \$16,065

\$0 to \$16,065

Transfer-in from General Revenue for
 maintenance of MoEVR to replace fees
 lost due to free birth certificates
 (§193.265.3) p. 7

\$0 to \$27,838

\$0 to \$33,405)

\$0 to \$33,405)

Loss - DHSS

Reduction in birth certificate fee
 revenue (§193.265.1 and .4) p. 5

\$0 to (\$13,388)

\$0 to (\$16,065)

\$0 to (\$16,065)

Reduction in birth certificate fee
 revenue (§193.265.3) p. 7

\$0 to (\$27,838)

\$0 to (\$33,405)

\$0 to (\$33,405)

**ESTIMATED NET EFFECT ON THE
 MISSOURI PUBLIC HEALTH
 SERVICES FUND**

\$0

\$0

\$0

**ENDOWED CARE CEMETERY
 AUDIT FUND (#0562)**

Loss - DHSS

Reduction in birth certificate fee
 revenue (§193.265.1 and .4) p. 5

\$0 to (\$2,678)

\$0 to (\$3,213)

\$0 to (\$3,213)

Reduction in birth certificate fee
 revenue (§193.265.3) p. 7

\$0 to (\$5,568)

\$0 to (\$6,681)

\$0 to (\$6,681)

**ESTIMATED NET EFFECT ON THE
 ENDOWED CARE CEMETERY
 AUDIT FUND**

\$0 to (\$8,246)

\$0 to (\$9,894)

\$0 to (\$9,894)

<u>FISCAL IMPACT - State Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023
CHILDREN'S TRUST FUND (#0694)			
<u>Loss - DHSS</u>			
Reduction in birth certificate fee revenue (§193.265.1 and .4) p. 5	\$0 to (\$13,388)	\$0 to (\$16,065)	\$0 to (\$16,065)
Reduction in birth certificate fee revenue (§193.265.3) p. 7	<u>\$0 to (\$27,838)</u>	<u>\$0 to (\$33,405)</u>	<u>\$0 to (\$33,405)</u>
ESTIMATED NET EFFECT ON THE CHILDREN'S TRUST FUND	<u>(\$0 to \$41,226)</u>	<u>\$0 to (\$49,470)</u>	<u>\$0 to (\$49,470)</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023
LOCAL GOVERNMENTS - LOCAL PUBLIC HEALTH AGENCIES			
<u>Loss - Local Public Health Agencies</u> (§193.265) - Reduction in birth certificate revenues p. 8 & 9	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT ON LOCAL GOVERNMENTS	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</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 permits a parent of a homeless child, or a homeless or unaccompanied youth, to obtain vital records at no cost. It also enables an unaccompanied youth to be able to obtain a copy of his or her own birth certificate without the consent or signature of a parent or guardian.

FISCAL DESCRIPTION (continued)

The bill also provides a victim of domestic violence or abuse, including sexual violence, that is engaged with an agency accredited with the Missouri Coalition Against Domestic Violence, a one-time fee waiver for obtaining a copy of a birth certificate.

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 Health and Senior Services
Adair County Health Department
Columbia/Boone County Department of Public Health and Human Services
Cooper County Public Health Center



Julie Morff
Director
January 27, 2020



Ross Strobe
Assistant Director
January 27, 2020