

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0305H.03C  
Bill No.: HCS for HB 27  
Subject: Sunshine Law; Internet and E-Mail  
Type: Original  
Date: March 23, 2021

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Bill Summary: This proposal modifies requirements for meeting notices and minutes of open meetings.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
General Revenue	(\$56,846)	(\$59,221)	(\$59,694)
<b>Total Estimated Net Effect on General Revenue</b>	<b>(\$56,846)</b>	<b>(\$59,221)</b>	<b>(\$59,694)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
<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.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
General Revenue	1 FTE	1 FTE	1 FTE
<b>Total Estimated Net Effect on FTE</b>	<b>1 FTE</b>	<b>1 FTE</b>	<b>1 FTE</b>

- ☐ Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- ☐ Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
<b>Local Government</b>	<b>(Unknown, could exceed \$6,100)</b>	<b>(Unknown, could exceed \$6,100)</b>	<b>(Unknown, could exceed \$6,100)</b>

## **FISCAL ANALYSIS**

### **ASSUMPTION**

#### **§§610.020, 610.027 & 610.040 – Meeting notices and Minutes of Open Meetings**

Officials from the **Office of Administration (OA)** assume this proposal requires meeting notices and minutes of open meetings to be posted on the public governmental body's website and social media pages. It also requires any public governmental body to post any proposed rules, ordinances, laws or regulations to a website and social media pages within 3 days after the meeting in which they are proposed. Similarly, the final text of any rule, ordinance, law or regulation which is adopted must be posted to the public governmental body's website and social media pages within 3 days of adoption. OA estimates that 1 FTE Administrative Support Staff would be needed to ensure that OA remains in compliance with the specified requirements and timeframes. OA assumes the FTE would have the following costs: FY 2022 \$56,846, FY 2023 \$59,221 and FY 2024 \$59,694.

**Oversight** does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by the OA.

Officials from the **City of Kansas City** assume this proposal may have a negative fiscal impact on Kansas City because of the administrative costs (staff time) of being required to post all minutes on the City website and to post all ordinances on the website within 3 days. This legislation may also have a negative fiscal impact on Kansas City due to the civil penalty in §610.027.

Officials from the **City of Springfield** anticipate an unknown negative fiscal impact due to needing additional web space to post the minutes of the numerous boards, commissions, and committees of the City as well as the city council.

In response to a previous version, officials from the **Kansas City Board of Elections** assumed a cost of \$2,500 annually to make changes to the website and social media account from this proposal.

In response to a previous version, officials from the **Florissant Valley Fire Protection District** stated this proposal would not have a significant fiscal impact. However, posting on social media of minutes and other actions is concerning since once the information is posted, they have no control over what or how that information is protected or stored.

In response to a previous version, officials from the **City Utilities of Springfield** assumed additional requirements for posting would incur expenses of around \$300 per month from this proposal.

**Oversight** assumes some local political subdivisions could be impacted from the provisions of this proposal through additional staffing duties and/or website and social media changes. Therefore, Oversight will reflect the cost estimated for the local government which have responded as an unknown negative that could exceed that estimate.

Officials from the **Department of Health and Senior Services** state Sections 610.020 and 610.021 require governmental bodies to post notices of meetings, proposed rules, ordinances, laws, or regulations to the governmental body's website and social media pages.

Posting notices on the department's website and social media pages are within the normal duties for the Department of Health and Senior Services so minimal time and expense will be required to conduct the requirements of the proposed legislation. The department anticipates being able to absorb these costs; however, until the FY22 budget is final, the department cannot identify specific funding sources.

Officials from the **Attorney General's Office**, the **Office of Administration - Administrative Hearing Commission**, the **Office of Administration - Budget and Planning**, the **Department of Commerce and Insurance**, the **Department of Elementary and Secondary Education**, the **Department of Higher Education and Workforce Development**, the **Department of Mental Health**, the **Department of Natural Resources**, the **Department of Corrections**, the **Department of Labor and Industrial Relations**, the **Department of Revenue**, the **Department of Public Safety's Division of Alcohol and Tobacco Control**, **Capitol Police**, **Fire Safety**, **Office of the Director**, **Missouri Gaming Commission**, **Missouri National Guard**, **Missouri Highway Patrol**, the **Missouri Veterans Commission** and the **State Emergency Management Agency**, the **Department of Social Services**, the **Missouri Department of Agriculture**, the **Missouri Department of Conservation**, the **Missouri Ethics Commission**, the **Missouri Department of Transportation**, the **MoDOT & Patrol Employees' Retirement System**, the **Petroleum Storage Tank Insurance Fund**, the **Office of the State Public Defender**, the **Office of the Governor**, the **Office of the State Auditor**, the **Missouri House of Representatives**, the **Missouri Senate**, the **Joint Committee on Education**, the **Joint Committee on Public Employee Retirement**, **Legislative Research**, **Legislative Research Oversight Division**, the **Economic & Policy Analysis Research Center**, the **Missouri Lottery**, the **Missouri Consolidated Health Care Plan**, the **Missouri Higher Education Loan Authority**, the **Missouri Office of Prosecution Services**, the **Office of the Secretary of State**, the **Joint Committee on Administrative Rules**, the **Missouri State Employee's Retirement System**, the **Office of the State Courts Administrator** and the **State Tax Commission** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

In response to a previous version, officials from the **Department of Economic Development**, the **University of Missouri System** and the **Office of the State Treasurer** each assumed the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have

any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Officials from the **City of Claycomo**, the **City of Corder**, **St. Louis City**, the **Platte County Board of Elections**, the **St. Louis County Board of Elections**, the **Kansas City Police Department**, the **St. Joseph Police Department**, the **St. Louis County Police Department**, the **Crawford County 911 Board**, the **Nodaway County Ambulance District**, the **Lexington Water/Wastewater**, the **Little Blue Valley Sewer District**, the **Metropolitan St. Louis Sewer District**, the **South River Drainage District**, the **Corder Water/Wastewater Department**, the **Macon County PWSD #1**, the **Schell City Water Department**, the **Hermann Area Hospital District**, **Missouri State University**, **Southeast Missouri State University**, the **State Technical College of Missouri** and the **University of Central Missouri** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

In response to a previous version, officials from the **City of Ballwin**, the **City of Bland**, the **City of O'Fallon**, the **Jackson County Board of Elections**, the **Boone County Sheriff's Department**, the **Crestwood Police Department**, the **Ellisville Police Department**, the **Fruitland Area Fire Protection District**, the **Wentzville Fire Protection District**, the **Cole Camp Ambulance District**, the **High Point R-III School District**, the **Shell Knob 78 School District**, the **Cass County PWSD #2**, the **Glasgow Village Street Light District**, the **Hancock Street Light District**, the **High Point Elementary School**, the **Howard County C-PWSD #1**, the **Jefferson County PWSD #7**, the **Platte County PWSD #6**, the **Union Star Water/Wastewater**, the **Wayne County PWSD #2**, the **Bland Water Department** and the **St. Charles County PWSD #2** each assumed the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

<u>FISCAL IMPACT – State Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
<b>GENERAL REVENUE FUND</b>			
Costs – OA			
Personal Service	(\$29,167)	(\$35,350)	(\$35,704)
Fringe Benefits	(\$19,794)	(\$23,871)	(\$23,990)
Equipment & Expense	(\$7,885)	\$0	\$0
Total Costs – OA	(\$56,846)	(\$59,221)	(\$59,694)
FTE Change – OA	1 FTE	1 FTE	1 FTE
<b>ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND</b>	<b><u>(\$56,846)</u></b>	<b><u>(\$59,221)</u></b>	<b><u>(\$59,694)</u></b>
Estimated Net FTE Change for General Revenue	1 FTE	1 FTE	1 FTE

<u>FISCAL IMPACT – Local Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
<b>LOCAL POLITICAL SUBDIVISIONS</b>			
Cost – additional staffing duties or website changes to implement provisions of this proposal	(Unknown, could exceed \$6,100)	(Unknown, could exceed \$6,100)	(Unknown, could exceed \$6,100)
<b>ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS</b>	<b>(Unknown, could exceed \$6,100)</b>	<b>(Unknown, could exceed \$6,100)</b>	<b>(Unknown, could exceed \$6,100)</b>

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

This bill requires posting notice, required under Section 610.020, RSMo, of the Open Records Law commonly known as the Sunshine Law, of meeting times, dates, places, and agendas as well as minutes of open meetings on a public governmental body's website and social media pages.

In addition, public governmental bodies must post proposed and adopted rules, ordinances, laws, or regulations on their website and social media pages within 3 days after the meeting at which they are proposed or adopted exclusive of weekends and holidays.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

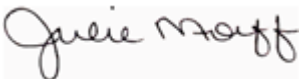
SOURCES OF INFORMATION

Office of Administration  
City of Kansas City  
City of Springfield  
Kansas City Board of Elections  
Florissant Valley Fire Protection District  
Metropolitan St. Louis Sewer District  
City Utilities of Springfield  
Department of Health and Senior Services  
Missouri Senate  
Attorney General's Office  
Office of Administration  
Department of Commerce and Insurance  
Department of Economic Development  
Department of Elementary and Secondary Education  
Department of Higher Education and Workforce Development  
Department of Mental Health  
Department of Natural Resources  
Department of Corrections  
Department of Labor and Industrial Relations  
Department of Revenue  
Department of Public Safety  
Department of Social Services  
Missouri Department of Agriculture

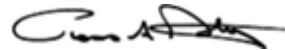
Missouri Department of Conservation  
Missouri Ethics Commission  
Missouri Department of Transportation  
MoDOT & Patrol Employees' Retirement System  
Petroleum Storage Tank Insurance Fund  
Office of the State Public Defender  
University of Missouri System  
Office of the Governor  
Office of the State Auditor  
Office of the State Treasurer  
Missouri House of Representatives  
Joint Committee on Administrative Rules  
Joint Committee on Education  
Joint Committee on Public Employee Retirement  
Legislative Research  
Oversight Division  
Economic & Policy Analysis Research Center  
Missouri Lottery  
Missouri Consolidated Health Care Plan  
Missouri Higher Education Loan Authority  
Missouri Office of Prosecution Services  
Missouri State Employee's Retirement System  
Office of the State Courts Administrator  
State Tax Commission  
City of Ballwin  
City of Bland  
City of Corder  
City of O'Fallon  
St. Louis City  
Jackson County Board of Elections  
Platte County Board of Elections  
St. Louis County Board of Elections  
Boone County Sheriff's Department  
Crestwood Police Department  
Ellisville Police Department  
Kansas City Police Department  
St. Louis County Police Department  
Wentzville Fire Protection District  
Crawford County 911 Board  
High Point R-III School District  
Shell Knob 78 School District  
Cass County PWSD #2  
Glasgow Village Street Light District  
Hancock Street Light District



High Point Elementary School  
Howard County C-PWSD #1  
Jefferson County PWSD #7  
Lexington Water/Wastewater  
Little Blue Valley Sewer District  
Platte County PWSD #6  
South River Drainage District  
Union Star Water/Wastewater  
Wayne County PWSD #2  
Hermann Area Hospital District  
Missouri State University  
State Technical College of Missouri  
University of Central Missouri  
Missouri Veterans Commission  
Office of the Secretary of State  
Bland Water Department  
Corder Water/Wastewater Department  
Schell City Water Department  
St. Charles County PWSD #2  
Cole Camp Ambulance District  
City of Claycomo  
St. Joseph Police Department  
Fruitland Area Fire Protection District  
Southeast Missouri State University  
Nodaway County Ambulance District  
Metropolitan St. Louis Sewer District  
Macon County PWSD #1



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