

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0919H.01I
Bill No.: HB 746
Subject: Religion; Political Subdivisions; Cities, Towns, and Villages; Emergencies;
Health and Senior Services, Department of
Type: Original
Date: February 18, 2021

Bill Summary: This proposal prohibits restrictions on the free exercise of religion during an emergency.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

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

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on FTE	0	0	0

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

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§44.104 – Prohibits restrictions on free exercise of religion during an emergency

Officials from the **City of Springfield (Springfield)** states Springfield anticipates a negative fiscal impact of an unknown amount due to an increase in COVID-19 cases or other communicable disease outbreaks requiring disease investigation and contact tracing. It is impossible to estimate how many additional COVID-19 or other communicable disease cases there will be as a result of people not observing social distancing or other mitigation strategies during the exercise of religion. Therefore, the amount of the negative fiscal impact cannot be estimated.

Oversight notes it is currently the responsibility of local public health agencies (LPHAs) to conduct disease investigation and contact tracing regardless of whether a statewide emergency has been proclaimed by the governor. It is assumed any potential costs that may be incurred as a result of this proposal are indirect costs. Therefore, Oversight will present no fiscal impact for provisions of this proposal.

Officials from the **Office of Attorney General (AGO)** assume any additional litigation costs arising from this proposal can be absorbed with existing personnel and resources. However, the AGO may seek additional appropriations if there is a significant increase in litigation.

Oversight does not have any information to the contrary. Therefore, Oversight assumes the AGO will be able to perform any additional duties required by this proposal with current staff and resources and will reflect no fiscal impact to the AGO for fiscal note purposes.

Officials from the **Department of Corrections (DOC)** state while the DOC anticipates no impact from this legislation, it assumes the provisions of Chapter 1.302, RSMo, would still allow the department to restrict access to religious services when needed for safety and security needs, emergency response, segregation assignments, and infectious disease outbreaks. If that is not correct, then there could potentially be a significant impact on department operations.

Officials from the **University of Missouri Health Care (UMHC)** stated they have reviewed the proposed legislation and determined that as written, it should not create expenses in excess of \$100,000.

Oversight notes UMHC has determined that \$100,000 is their threshold for costs being absorbable within current funding levels. Therefore, Oversight will present no fiscal impact for the UMHC for fiscal note purposes.

Officials from the **Department of Commerce and Insurance**, the **Department of Economic Development**, the **Department of Elementary and Secondary Education**, the **Department of Higher Education and Workforce Development**, the **Department of Health and Senior Services**, the **Department of Mental Health**, the **Department of Natural Resources**, the **Department of Labor and Industrial Relations**, the **Department of Public Safety**, **Divisions of: Alcohol and Tobacco Control, Capitol Police, Director's Office, Fire Safety, Gaming Commission, MO National Guard, MO State Highway Patrol, MO Veterans Commission**, and the **State Emergency Management Agency**, the **Department of Revenue**, the **Department of Social Services**, the **Joint Committee on Administrative Rules**, the **Missouri Consolidated Health Care Plan**, the **Missouri Department of Agriculture**, the **Missouri Department of Conservation**, the **Missouri Ethics Commission**, the **Missouri Lottery**, the **Missouri Office of Prosecution Services**, the **Missouri Senate**, the **Missouri Department of Transportation**, the **Missouri House of Representatives**, the **MoDOT & Patrol Employees' Retirement System**, the **Petroleum Storage Tank Insurance Fund**, the **Office of Administration, Director's Office, Administrative Hearing Commission** and the **Division of Budget and Planning**, the **Office of the Governor**, the **Office of the State Courts Administrator**, the **Office of the Secretary of State**, the **Office of the State Public Defender**, the **Office of State Auditor**, the **Office of the State Treasurer**, the **City of Kansas City**, the **City of O'Fallon**, the **City of Southwest City**, the **City of St. Louis**, the **City of Tipton**, the **Newton County Health Department** and the **Hermann Area Hospital District** 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.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other cities, various county officials, county health departments, and hospitals 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 2022 (10 Mo.)	FY 2023	FY 2024
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
	<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

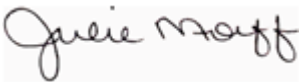
The proposed legislation appears to have no direct fiscal impact.

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

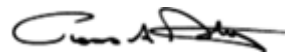
SOURCES OF INFORMATION

Attorney General's Office
Department of Commerce and Insurance
Department of Economic Development
Department of Elementary and Secondary Education
Department of Higher Education and Workforce Development
Department of Health and Senior Services
Department of Mental Health
Department of Natural Resources
Department of Corrections
Department of Labor and Industrial Relations
Department of Revenue
Department of Public Safety –
 Director's Office
 Division of Alcohol and Tobacco Control
 Capitol Police
 Division of Fire Safety
 Missouri Gaming Commission
 Missouri National Guard
 Missouri Highway Patrol
 Missouri Veterans Commission
 State Emergency Management Agency
Department of Social Services
Office of the Governor
Joint Committee on Administrative Rules
Missouri Lottery Commission
Missouri Consolidated Health Care Plan
Missouri Department of Agriculture
Missouri Department of Conservation
Missouri Ethics Commission
Missouri House of Representatives
Missouri Department of Transportation

Missouri Senate
Missouri Office of Prosecution Services
MoDOT & Patrol Employees' Retirement System
Petroleum Storage Tank Insurance Fund
Office of Administration –
 Administrative Hearing Commission
 Budget and Planning
 Commissioner's Office
Office of the State Courts Administrator
Office of the Secretary of State
Office of State Auditor
Office of the State Public Defender
Office of the State Treasurer
University of Missouri Health Care
City of Kansas City
City of O'Fallon
City of Southwest City
City of Springfield
City of St. Louis
City of Tipton
Newton County Health Department
Hermann Area Hospital District
University of Missouri Health Care



Julie Morff
Director
February 18, 2021



Ross Strobe
Assistant Director
February 18, 2021