

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1523H.02C  
Bill No.: HCS for HB 602  
Subject: General Assembly  
Type: Original  
Date: March 4, 2021

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Bill Summary: This proposal subjects exercise of emergency powers by state or local officials to strict scrutiny review.

**FISCAL SUMMARY**

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

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
<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>			
<b>FUND AFFECTED</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
<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>			
<b>FUND AFFECTED</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</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>			
<b>FUND AFFECTED</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

#### §1.1000 – Exercise of emergency powers subject to strict scrutiny review

Officials from the **City of Springfield** state the City of Springfield anticipates a negative fiscal impact in 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 would occur due to the inability of local authorities to tailor emergency orders to local circumstances or to the delay or failure of the governor to act to prevent the spread of disease. This bill could elevate the risk of the spread of communicable diseases and limit the ability to provide the most prudent response to other types of emergencies thereby increasing the City's cost to respond to emergencies.

Officials from the **Columbia/Boone County Department of Public Health and Human Services (PHHS)** state delays in issuing or re-issuing public health orders introduced by this bill will increase cases of COVID-19 and other infectious disease that orders are designed to address. There will be an unknown cost due to an increase in COVID-19 cases and other infectious diseases. It is impossible to estimate how many additional COVID-19 cases or other infectious disease cases there will be due to the inability to provide public health measures to prevent the spread of illness. The inability to take quick action will potentially result in increased disease.

**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 **Department of Health and Senior Services, the Department of Public Safety, Missouri Highway Patrol, the Office of the Governor, the Missouri House of Representatives, the Office of the State Courts Administrator, the Missouri Senate the City of Claycomo, the City of Kansas City, the Newton County Health Department, the Kansas City Police Department, the St. Joseph Police Department and the St. Louis County Police Department** 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 the previous version of this proposal, officials from the **City of O'Fallon, the City of St. Louis, the City of Tipton, the Crestwood Police Department, the Ellisville Police**

**Department** and the **Springfield Police Department** 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.

**Oversight** only reflects the responses that we have received from state agencies and political subdivisions; however, other cities, various county officials, local public health agencies and police and sheriffs' departments 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 fiscal impact.

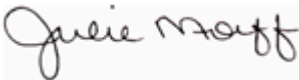
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

#### SOURCES OF INFORMATION

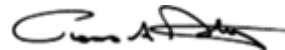
Department of Health and Senior Services  
Department of Public Safety –  
Missouri Highway Patrol  
Office of the Governor  
Missouri House of Representatives  
Missouri Senate  
Office of the State Courts Administrator

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City of Claycomo  
City of Kansas City  
City of O'Fallon  
City of Springfield  
City of St. Louis  
City of Tipton  
Columbia/Boone County Department of Public Health and Human Services  
Newton County Health Department  
Crestwood Police Department  
Ellisville Police Department  
Kansas City Police Department  
Springfield Police Department  
St. Joseph Police Department  
St. Louis County Police Department



Julie Morff  
Director  
March 4, 2021



Ross Strobe  
Assistant Director  
March 4, 2021