

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1926H.06C
Bill No.: HCS for HB Nos. 1064 & 667
Subject: Office of Administration; State Employees
Type: Original
Date: March 22, 2023

Bill Summary: This proposal modifies provisions of the Personal Privacy Protection Act.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
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 2024	FY 2025	FY 2026
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
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 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.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Administration (OA)** assume the proposed legislation would have a positive impact on OA Division of Purchasing as it would allow for the public to once again access needed procurement records on the Awarded Bid and Contract Document Search Website and MissouriBUYS Contract Board rather than having to submit an open records request to OA Purchasing in order to gain access to do so. This would reduce the number of open record requests received and reduce the number of hours needed by OA Purchasing to review bid and contract files for any personal information of a 501(c) entity in the requested records and in bid files prior to award and in prior bid and contract files prior to the new solicitation's issuance and to redact such before providing the bid and contract documents to the public in order to maintain compliance with the provisions of section 105.1500, RSMo.

While there would not be a direct monetary savings to OA Purchasing, the proposed legislation would avoid Purchasing having to divert resources to completing the records reviews and redactions.

In response to similar legislation, HB 667 from 2023, officials from the **Office of the Secretary of State (SOS)** noted 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 its 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 **Office of Administration – Administrative Hearing Commission**, the **Office of Administration – Budget and Planning**, 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 Mental Health**, the **Department of Natural Resources**, the **Department of Corrections**, the **Department of Revenue**, **Department of Public Safety (Office of the Director, Alcohol and Tobacco Control, Capitol Police, Fire Safety, Gaming Commission,**

Missouri Highway Patrol, and State Emergency Management Agency), the Department of Social Services, the Office of the Governor, the Missouri Department of Agriculture, the Missouri Ethics Commission, the Missouri Department of Transportation, the Missouri National Guard, the MoDOT & Patrol Employees' Retirement System, the Office of the State Public Defender, the Office of the Secretary of State, the Office of the Lieutenant Governor, the Office of the State Auditor, the Missouri House of Representatives, the Joint Committee on Administrative Rules, the Legislative Research, the Oversight Division, the Missouri Senate, the Missouri Lottery Commission, the Missouri Consolidated Health Care Plan, the Missouri Office of Prosecution Services, the Joint Committee on Education, the Joint Committee on Public Employee Retirement, the Missouri State Employee's Retirement System, and the State Tax Commission each assume the proposal will have no fiscal impact on their respective organizations.

In response to a previous version, officials from the **Department of Health and Senior Services, the Department of Labor and Industrial Relations, and the Department of Public Safety – Veterans Commission** each assumed the proposal will have no fiscal impact on their respective organizations.

Officials from the **City of Springfield** assume the proposal will have no fiscal impact on their organization.

In response to a previous version, officials from the **City of Kansas City** assumed the proposal will have no fiscal impact on their organization.

Officials from the **Platte County Board of Elections, the Jackson County Board of Elections, and the St. Louis County Board of Elections** each assume the proposal will have no fiscal impact on their respective organizations.

Officials from the **Missouri State University** and the **University of Central Missouri** both assume the proposal will have no fiscal impact on their respective organizations.

In response to similar legislation, HB 667 from 2023, officials from the **St. Charles Community College** assumed the proposal will have no fiscal impact on their organization.

Oversight notes that the Personal Privacy Protection Act was passed on HB 2400 in 2022. This legislation is making amendments to include exemptions from the Act. The above mentioned agencies have stated the proposal would not have a direct fiscal impact on their organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other cities, counties, schools, colleges, Missouri Office of Prosecution Services, Office of the State Courts Administrator, and the Attorney General's Office were requested to

respond to this proposed legislation but did not. A listing of political subdivisions included in the Missouri Legislative Information System (MOLIS) database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2024	FY 2025	FY 2026
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2024	FY 2025	FY 2026
	<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.

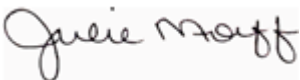
The proposal contains an emergency clause.

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

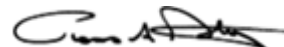
SOURCES OF INFORMATION

- Office of Administration – Administrative Hearing Commission
- Office of Administration – Budget and Planning
- 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
- Department of Social Services

Office of the Governor
Joint Committee on Public Employee Retirement
Joint Committee on Administrative Rules
Missouri Lottery Commission
Legislative Research
Oversight Division
Missouri Consolidated Health Care Plan
Missouri Department of Agriculture
Missouri Department of Conservation
Missouri Ethics Commission
Missouri House of Representatives
Office of the Lieutenant Governor
Missouri Department of Transportation
Missouri State Employee's Retirement System
MoDOT & Patrol Employees' Retirement System
Office of Administration
Office of the State Auditor
Missouri Senate
Office of the Secretary of State
Office of the State Public Defender
Office of the State Treasurer
State Tax Commission
Office of the Governor
Office of the Lieutenant Governor
City of Kansas City
City of Springfield
Jackson County Board of Elections
Platte County Board of Elections
St. Louis County Board of Elections
University of Central Missouri
St. Charles Community College



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March 22, 2023



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