

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3061H.011
Bill No.: HB 2031
Subject: Drugs and Controlled Substances; Department of Health and Senior Services;
Crimes and Punishment
Type: Original
Date: January 25, 2024

Bill Summary: This proposal exempts entities registered with the Department of Health and Senior Services that distribute hypodermic needles or syringes from the crime of unlawful delivery of drug paraphernalia.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
General	(\$206,276)	(\$96,757)	(\$98,475)
Total Estimated Net Effect on General Revenue	(\$206,276)	(\$96,757)	(\$98,475)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on <u>Other State Funds</u>	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
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 \$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 2025	FY 2026	FY 2027
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§§191.1011, 579.040 and 579.076– Distributors of hypodermic needles

Officials from the **Department of Health and Senior Services (DHSS)** state Section 191.1011 of the proposed legislation would require DHSS to establish a registration process for any entity that possesses, distributes, or delivers hypodermic needles or syringes for the purpose of operating a syringe access program or mitigating health risks that are associated with unsterile drug use. The duties associated with the administering a syringe services program would require one (1) additional FTE, a Public Health Program Specialist located in the Jefferson City office, at an annual salary of \$52,975 per year. The duties for this position would include:

- Developing, maintaining and implementing the syringe services program rules;
- Overseeing the development and implementation of the rules;
- Maintaining the registry;
- Developing, implementing and coordinating a statewide Syringe Services Program;
- Providing consultative, analytical, and administrative technical assistance and capacity building to state staff, local health departments, community-based organizations, public and private universities, private health care providers, local officials, community leaders, and citizens throughout Missouri;
- Working with statewide syringe services partners to develop a statewide syringe services strategic plan;
- Review and confirm that entities seeking registration have a collaborative agreement with an organization that provides access to mental health and substance use treatment options.;
- Developing and maintaining a directory of syringe service programs;
- Provide syringe service education to Local Public Health Agencies (LPHAs) and community groups.

Officials from the **Office of Administration (OA), Information Technology Services Division (ITSD)/DHSS** state a new system to track and maintain this registry would be required. The total of **\$113,400** is based on ITSD estimates of similar historical efforts.

Oversight does not have any information to the contrary. **Oversight** assumes DHSS would not need additional rental space for 1 new FTE for this single proposal. However, Oversight notes, depending on the number of proposals passed during the legislative session that, cumulatively, DHSS may need additional rental space or capital improvements as determined by the Office of Administration, Facilities Management, Design and Construction.

Officials from the **Department of Corrections**, the **Department of Public Safety - Missouri Highway Patrol**, the **Newton County Health Department** and the **Office of the State Courts Administrator** 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 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 listing of political subdivisions included in the Missouri Legislative Information System (MOLIS) database is available upon request.

Rule Promulgation

Officials from the **Joint Committee on Administrative Rules** assume this proposal is not anticipated to cause a fiscal impact beyond its current appropriation.

Officials from the **Office of the Secretary of State** notes many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The Secretary of State's office 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 Secretary of State's office for Administrative Rules is less than \$5,000. The Secretary of State's office recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, they also recognize 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 their office can sustain with their core budget. Therefore, they reserve 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.

<u>FISCAL IMPACT – State Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
GENERAL REVENUE FUND			
<u>Costs – DHSS (§§ 191.1011, 579.040 and 579.076) p. 3</u>			
Personal service	(\$44,146)	(\$54,034)	(\$55,115)
Fringe benefits	(\$29,627)	(\$35,963)	(\$36,382)
Equipment and expense	(\$19,103)	(\$6,760)	(\$6,978)
<u>Total Costs - DHSS</u>	<u>(\$92,876)</u>	<u>(\$96,757)</u>	<u>(\$98,475)</u>
FTE Change – DHSS	1 FTE	1 FTE	1 FTE
<u>Costs – OA, ITSD/DHSS (§§ 191.1011, 579.040 and 579.076) New tracking system p. 3</u>			
	(\$113,400)	\$0	\$0
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>(\$206,276)</u>	<u>(\$96,757)</u>	<u>(\$98,475)</u>
Estimated Net FTE Change on the General Revenue Fund	1 FTE	1 FTE	1 FTE

<u>FISCAL IMPACT – Local Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

This proposal may have a minimal administrative fiscal impact on small business organizations if they have to register with the DHSS. (§§191.1011, 579.040 and 579.076)

FISCAL DESCRIPTION

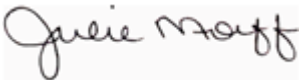
This bill requires the Department of Health and Senior Services to create a registration process for organizations interested in operating a syringe access program, or similar program intended to mitigate health risks associated with injectable drug use. No entity registered with the

Department shall be present within 500 feet of any school building if the school building was established prior to the entity's operation. (§§579.040 and 579.076)

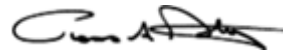
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Health and Senior Services
Department of Corrections
Department of Public Safety – Missouri Highway Patrol
Joint Committee on Administrative Rules
Office of the Secretary of State
Office of the State Courts Administrator
Newton County Health Department



Julie Morff
Director
January 25, 2024



Ross Strobe
Assistant Director
January 25, 2024