

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3208H.011  
Bill No.: HB 1742  
Subject: Education, Elementary and Secondary; Department of Elementary and Secondary  
Education  
Type: Original  
Date: January 15, 2024

---

Bill Summary: This proposal establishes provisions governing statewide athletic association employees and members.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
General Revenue	(\$84,556)	(\$9,136)	(\$9,364)
<b>Total Estimated Net Effect on General Revenue</b>	<b>(\$84,556)</b>	<b>(\$9,136)</b>	<b>(\$9,364)</b>

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

## FISCAL ANALYSIS

### ASSUMPTION

Officials from **Department of Elementary and Secondary Education** state Section 162.068 creates the definition for a “screened volunteer”. Sub-Section 8 requires that school districts and charter schools report “screened volunteer” information to the department. A new data collection will be required. DESE estimates the cost for this data collection to be \$40,000.

In response to a similar proposal, HB 139 (2023), officials from **DESE** stated Section 168.631 requires that the department create a new database to house the “screened volunteer” data that is reported by the school districts and charter schools. In addition, the data/database is to be accessible/searchable to school districts and charter schools. There will be a cost for the new database and a new interactive interface (Web Application) will be required.

Officials from the **Office of Administration – Information Technology (ITSD)** state it is assumed that every new IT project/system will be bid out because all ITSD resources are at full capacity. DESE Office of Data Systems Management (ODSM) and DESE Data Governance will define all data elements needed to be captured, provide those to ITSD, which will be used to establish the database table(s) and fields. DESE ODSM will also collect any historical information in a standard data layout that aligns with the database/fields they define, compile all data from all districts and charters, and provide ITSD with a one-time import of historical data.

The Web application functionality was assumed by ITSD. No additional functionality or reporting is assumed in this estimate. Should additions/enhancements to functionality be made by DESE, those efforts will require new estimates.

For this bill, ITSD assumes they will contract out the programming changes needed for FAMIS. ITSD estimates the project would take 424.34 hours at a contract rate of \$105 for a total cost of **\$44,556**.

**Oversight** will reflect the ITSD estimated cost of \$44,556 in FY 2025 with on-going support costs of \$9,136 in FY 2026, and \$9,364 in FY 2027.

Officials from the **Department of Public Safety - Missouri Highway Patrol, Attorney General’s Office** and the **Department of Social Services** 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.

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 (SOS)** note 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** does not anticipate a fiscal impact to school districts; however, Oversight did not receive any responses related to the fiscal impact of this proposal from school districts. Oversight has presented this fiscal note on the best current information available. Upon the receipt of additional responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval to publish a new fiscal note.

**Oversight** only reflects the responses received from state agencies and political subdivisions; however, school districts 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 2025 (10 Mo.)	FY 2026	FY 2027
<b>GENERAL REVENUE</b>			
Costs - DESE - data collection §162.068	(\$40,000)	\$0	\$0
<u>Costs</u> - DESE/ITSD - to develop a new database and web application - §168.631	(\$44,556)	(\$9,136)	(\$9,364)
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b>(\$84,556)</b>	<b>(\$9,136)</b>	<b>(\$9,364)</b>

<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

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

FISCAL DESCRIPTION

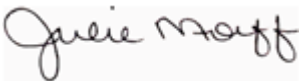
This bill defines a "screened volunteer" as any individual who assists a school by providing uncompensated service, who may be left alone with students, and who has successfully completed a criminal background check. School districts are currently required to have policies about how and what information they release about former employees to other public schools. Beginning January 1, 2024, this bill requires such policies to also include information about screened volunteers. The bill further applies existing requirements related to allegations of sexual misconduct against school employees to screened volunteers as well (Section 162.068, RSMo).

The bill establishes "Emily's Law". The bill defines "association" as a statewide athletic association or organization that receives any public money and has at least one public school district as a member. Under the provisions of the bill, all employees of such an association are mandated reporters. Additionally, the bill requires DESE to create and maintain a database listing each person who is employed as coach or a member of the coaching staff, or serves as a screened volunteer, for an association member school district. The database must contain information related to specified substantiated allegations of sexual misconduct against such employees and volunteers, as well as specified information obtained by the school districts as a result of criminal background checks. Prior to hiring any new coach or member of the coaching staff, or accepting a screened volunteer, all association members must consult this database (Section 168.631).

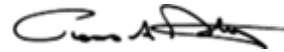
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Elementary and Secondary Education  
Department of Public Safety - Missouri Highway Patrol  
Attorney General's Office  
Department of Social Services  
Office of the Secretary of State  
Joint Committee on Administrative Rules



Julie Morff  
Director  
January 15, 2024



Ross Strobe  
Assistant Director  
January 15, 2024