

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4461H.011  
Bill No.: HB 1793  
Subject: Health Care; Employees - Employers; Mental Health  
Type: Original  
Date: April 12, 2024

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Bill Summary: This proposal creates provisions relating to mental health leave for employees.

**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>
<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 2025</b>	<b>FY 2026</b>	<b>FY 2027</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 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 the **Department of Labor and Industrial Relations (DOLIR)** assume that per their Division of Workers' Compensation, there is a potential fiscal impact due to lost work hours requiring additional staffing. Impact to small business, but not state agencies/departments if they are exempt.

Additionally, per Labor & Industrial Relations Commission (LIRC), a potential fiscal impact to LIRC to track unpaid leave use. The bill's definition of "employee" does not exclude employees of public employers. Because subsection 2 allows an employee to take unpaid leave and does not reference the defined term "employer," the bill appears to allow an employee of any employer – including a public employer -- to take the four hours of unpaid leave each week. However, in light of the bill's definition of "employer", and the express references to that term in subsections 4, 5, and 6, the bill does not appear to require employees of public employers to provide the 48 hours' advance notice required in subsection 4 and does not appear to authorize public employers to require certification that the leave is for a mental health appointment as provided in subsections 5 and 6.

Per Department of Labor Standards (DLS) & State Board of Mediation (SBM), probably will generate additional phone calls to intercede, however SBM will not be able to help.

The Unknown impact is dependent upon whether or not public employers are actually exempt from the entire provision or not.

**Oversight** notes that the proposal, §285.680.1 (4) denotes it shall not include any public employer, as defined in section 285.525.

**Oversight** notes Section 285.525 define Public Employer as an "every department, agency, or instrumentality of the state or political subdivision of the state". Additionally, subsection 10 of the proposal state that the rights and remedies established for employees under this section shall not be diminished by any federal, state, or local law, collective bargaining agreement, or employment benefits program or plan.

**Oversight** notes that this could potentially lead to additional inquiries to various agencies of state such as LIRC, DLS, or SBM. However, for purpose of this fiscal note, Oversight assume DOLIR will be able to absorb any potential costs related to this proposal. If multiple bills pass which require additional staffing and duties at substantial costs, DOLIR could request funding through the appropriation process.

Officials from the **Office of Administration (OA)** assume the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note.

Officials from **Department of Natural Resources** and the **Department of Corrections** both assume the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note.

Officials from the **Missouri Department of Transportation**, the **Missouri Department of Conservation**, the **University of Missouri**, the **City of Kansas City**, the **Missouri State University**, the **Northwest Missouri State University**, and the **University of Central Missouri** each assume the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note.

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

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

FISCAL IMPACT – Small Business

Small businesses with employees could be impacted by 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

Department of Labor and Industrial Relations  
 Office of Administration  
 Department of Natural Resources  
 Department of Corrections

L.R. No. 4461H.01I

Bill No. HB 1793

Page 5 of 5

April 12, 2024

Missouri Department of Transportation

Missouri Department of Conservation

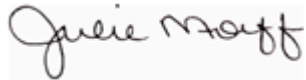
University of Missouri

City of Kansas City

Missouri State University

Northwest Missouri State University

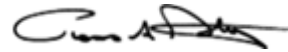
University of Central Missouri



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