

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 5438H.011  
 Bill No.: HB 2595  
 Subject: Children and Minors; Licenses - Miscellaneous  
 Type: Original  
 Date: March 5, 2024

Bill Summary: This proposal modifies and establishes provisions relating to summer camps.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
General Revenue*	(\$2,359,895)	(\$2,203,639)	(\$2,240,543)
<b>Total Estimated Net Effect on General Revenue</b>	<b>(\$2,359,895)</b>	<b>(\$2,203,639)</b>	<b>(\$2,240,543)</b>

\*Oversight notes the total cost to GR includes 23 FTE (13 FTE for Department of Public Safety – Division of Fire Safety and 10 FTE for Department of Elementary and Secondary Education) required to implement provisions of this proposal.

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
<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>
General Revenue – DPS	13 FTE	13 FTE	13 FTE
General Revenue – DESE	10 FTE	10 FTE	10 FTE
<b>Total Estimated Net Effect on FTE</b>	<b>23 FTE</b>	<b>23 FTE</b>	<b>23 FTE</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>(Unknown)</b>	<b>(Unknown)</b>	<b>(Unknown)</b>

## FISCAL ANALYSIS

### ASSUMPTION

#### §§210.203, 210.211, 210.212, 210.221, 210.231, 210.245, 210.252, and 210.256 - Provisions relating to summer camps

Officials from the **Department of Public Safety - Division of Fire Safety (DFS)** estimate 10 FTE fire safety inspectors would be needed to perform inspections. To provide proper supervision and span of control, two fire inspection supervisors would also be requested. One clerical staff would be needed to process and coordinate various inspections and related communications. DFS estimates additional funding needs over \$1.4 million in the first.

**Oversight** does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by the DPS, DFS.

Officials from the **Department of Elementary and Secondary Education (DESE)** state §210.203 states, “The department of elementary and secondary education shall maintain a record of substantiated, signed parental complaints against child care facilities or summer camps licensed pursuant to this chapter, and shall make such complaints and findings available to the public upon request.”

Section 210.211. 1. states, “It shall be unlawful for any person to establish, maintain, or operate a child-care facility, or for any person or organization to establish, maintain, or operate a summer camp, for children, or to advertise or hold himself or herself out as being able to perform any of the services as defined in section 210.201, without having in effect a written license granted by the department of elementary and secondary education; except that nothing in sections 210.203 to 210.245 shall apply to:”

Summer camps are currently exempt from licensure, therefore, inspections are not conducted and complaints are not investigated by Office of Childhood (OOC) unless OOC learns of a program caring for more than six children without a license and the program has not received a determination from OOC that they are exempt (as a summer camp) from licensure. In order to implement the licensing and complaint investigation process for summer camps, DESE would need additional staff to license, monitor, and investigate complaints on these programs. OOC currently knows of 550 summer camp programs based on Program Evaluation Questionnaires submitted to the office by the operator of the program to determine if the summer camp program meets the exemption status or if it is required to be licensed. Because there is no requirement for a program to submit the paperwork and receive a determination by OOC, it is assumed there are many more summer camp programs operating that OOC does not have documented.

While it is impossible to estimate how many additional summer camps are operating, it is likely that the number of programs is at least double what OOC has documented. The fiscal impact

numbers here are based on the 550 programs that OOC has documented. OOC's Compliance Inspectors currently carry caseloads of approximately 75-80 facilities. Therefore, seven (7) compliance inspectors and one supervisor would be required to license and monitor an additional 550 programs.

Because DESE cannot estimate the number of summer camps needing to be licensed, DESE cannot determine how many staff would be required to operate the program, but DESE does know that they would be required to have a comprehensive background screening. In addition to the compliance inspectors and supervisors, DESE estimates they would need an additional two (2) program associates added to the background screening unit team for processing of background screenings. In calendar year 2022, the background screening team comprised of four staff who processed an average of 1,302 background screening eligibility determinations per month with an average turnaround time of two working days. That amounts to each staff processing on average 325.5 eligibility determinations per month. If an additional 550+ summer camp programs would require a comprehensive background screening, an additional two (2) program associates would be required to process eligibility determinations so that the average two-day turnaround time of issuing the eligibility determination to the individual and childcare facility could be maintained.

Estimated general revenue cost to OOC in FY 2025 = \$945,729 (Salaries + EE).

In response to HB 1368 (2023), officials from the **OA, ITSD/DESE** reviewed the proposed legislation and at that time assumed to be no impact to OA, ITSD/DESE. The apps/systems/processes are currently still supported by DHSS and/or DSS. However, long-term there will be impacts to systems/apps/processes that are in procurement states throughout the FY24 timeframe. It's believed these systems/apps/processes can handle these additional proposed requirements.

**Oversight** does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by DESE, OOC.

Officials from the **Department of Health and Senior Services**, the **Department of Mental Health**, the **Department of Natural Resources**, the **Department of Public Safety – Director's Office**, **Missouri Highway Patrol**, the **Department of Social Services**, the **Office of Administration - Administrative Hearing Commission**, the **Office of the State Public Defender**, the **City of Kansas City**, the **Kansas City Police Department**, the **Newton County Health Department**, the **Phelps County Sheriff**, 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.

Officials from the **Missouri Department of Conservation** anticipate the proposal will have an unknown fiscal impact on their organization.

In response to HB 1368 (2023), officials from the **Missouri Department of Conservation, Attorney General's Office, Department of Commerce and Insurance, Missouri Office of Prosecution Services, Branson Police Department, City of Springfield, Kansas City Health Department, and St. Louis County Department of Public Health** each assumed the proposal will have no fiscal impact on their organization.

Officials from the **Office of the State Courts Administrator** did not respond to **Oversight's** request for fiscal impact for this proposal.

**Oversight** notes the proposal requires employees of summer camps to be certified in operating equipment used in the camp's specialized recreational activities and summer camps must also have a written site-specific emergency plan that addresses the emergency situations specified in the bill. In addition, all camp counselors and any director employed by a summer camp must be trained in cardiopulmonary resuscitation and in the use of an automated external defibrillator.

AED training is often provided simultaneously with cardiopulmonary resuscitation (CPR) training. The costs vary depending on the provider and method of delivery. However, training costs will vary depending on the implementation decisions and training arrangements, as well as the number of people that need the training. Therefore, Oversight will show an unknown cost for training and implementation of this proposal beginning in FY 2025 to local political subdivisions.

**Oversight** only reflects the responses received from state agencies and political subdivisions; however, other cities, local public health agencies, county prosecutors, sheriffs, police departments and fire protection 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.

#### 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.

<u>FISCAL IMPACT – State Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
<b>GENERAL REVENUE</b>			
<u>Costs – DPS, DFS (§§210.203 - 210.256) p. 3</u>			
Personal service	(\$509,757)	(\$623,943)	(\$636,422)
Fringe benefits	(\$359,549)	(\$436,035)	(\$440,703)
Equipment and expense	(\$568,717)	(\$62,851)	(\$64,108)
<u>Total Costs - DSS, DFS</u>	<u>(\$1,438,023)</u>	<u>(\$1,122,829)</u>	<u>(\$1,141,233)</u>
FTE Changes - DSS, DFS	13 FTE	13 FTE	13 FTE
<u>Costs – DESE, OOC (§§210.203 - 210.256) pp. 3-4</u>			
Personal service	(\$485,020)	(\$593,664)	(\$605,538)
Fringe benefits	(\$311,329)	(\$377,950)	(\$382,392)
Equipment and expense	(\$125,523)	(\$109,196)	(\$111,380)
<u>Total Costs</u>	<u>(\$921,872)</u>	<u>(\$1,080,810)</u>	<u>(\$1,099,310)</u>
FTE Changes - DESE, OOC	10 FTE	10 FTE	10 FTE
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b><u>(\$2,359,895)</u></b>	<b><u>(\$2,203,639)</u></b>	<b><u>(\$2,240,543)</u></b>
Estimated Net FTE Change on the General Revenue Fund	23 FTE	23 FTE	23 FTE

<u>FISCAL IMPACT – Local Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
<b>LOCAL POLITICAL SUBDIVISIONS</b>			
<u>Costs - training for CPR, AEDs and implementing emergency plan procedures – §210.212.4</u>			
	(Unknown)	(Unknown)	(Unknown)
<b>ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS</b>	<b><u>(Unknown)</u></b>	<b><u>(Unknown)</u></b>	<b><u>(Unknown)</u></b>

FISCAL IMPACT – Small Business

There could be a negative impact to small business summer camp facilities due to possible increased fees and compliance requirements.

FISCAL DESCRIPTION

This bill specifies that any person or organization, regardless of whether they are affiliated with a religious organization, who wants to operate a summer camp must first receive a license to do so from the Department of Elementary and Secondary Education.

The bill requires employees of summer camps to be certified in operating equipment used in the camp's specialized recreational activities as those terms are defined in the bill. Summer camps must also have a written site-specific emergency plan that addresses the emergency situations specified in the bill.

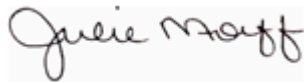
All camp counselors and any director employed by a summer camp must be trained in cardiopulmonary resuscitation and in the use of an automated external defibrillator.

Any specialized recreational activity offered by a summer camp to children attending the summer camp will be inspected annually by the relevant state department including, but not limited to, the Department of Health and Senior Services, the Department of Public Safety, or the Department of Conservation. Those operating the summer camp must maintain records of all inspections.

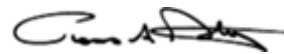
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements. It would require rental space.

SOURCES OF INFORMATION

Attorney General's Office  
Department of Commerce and Insurance  
Department of Elementary and Secondary Education  
Department of Health and Senior Services  
Department of Mental Health  
Department of Natural Resources  
Department of Public Safety  
    Director's Office  
    Fire Safety  
    Missouri Highway Patrol  
Department of Social Services  
Joint Committee on Administrative Rules  
Missouri Department of Conservation  
Missouri Office of Prosecution Services  
Office of Administration - Administrative Hearing Commission  
Office of the Secretary of State  
Office of the State Public Defender  
Branson Police Department  
City of Kansas City  
City of Springfield  
Kansas City Health Department  
Kansas City Police Department  
Newton County Health Department  
Phelps County Sheriff  
St. Louis County Department of Public Health  
St. Louis County Police Department



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