

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0310S.04T
Bill No.: Truly Agreed To and Finally Passed SS for SCS for HCS for HB Nos. 145 & 59
Subject: Animals; Courts; Judges; Law Enforcement Officers and Agencies; Parks and Recreation; Public Records, Public Meetings; Sunshine Law; Utilities
Type: Original
Date: June 11, 2025

Bill Summary: This proposal modifies provisions of the sunshine law.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
General Revenue*	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
Total Estimated Net Effect on General Revenue	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

*Oversight assumes \$0 to (Unknown) costs for LEF claims could exceed \$250,000 annually for all funds combined.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Other State**	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
Legal Expense*	\$0	\$0	\$0
Colleges and Universities**	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
Total Estimated Net Effect on <u>Other</u> State Funds	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

*Income and payouts assumed to net to zero.

**Oversight assumes \$0 to (Unknown) costs for LEF claims could exceed \$250,000 annually for all funds combined.

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Federal*	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

*Oversight assumes \$0 to (Unknown) costs for LEF claims could exceed \$250,000 annually for all funds combined.

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Total Estimated Net Effect on FTE	0 FTE	0 FTE	0 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 2026	FY 2027	FY 2028
Local Government*	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

*Oversight assumes \$0 to (Unknown) costs for claims could exceed \$250,000 for all funds combined.

FISCAL ANALYSIS

ASSUMPTION

§§476.1300 - 476.1313 – Judicial Privacy Act

Officials from the **Office of Administration (OA)** state §§476.1300 to 476.1313 of this bill provides restrictions on the use of a court-related officer's personal information and establishes civil remedies for violation, including costs and attorney fees. These provisions have the potential to increase costs to the Legal Expense Fund (LEF) if a claim were successfully brought against a state employee for violation of this legislation.

Oversight notes because this bill creates a possible new cause of action, Oversight will show a net \$0 direct fiscal impact for the LEF and a possible \$0 to (unknown) fiscal impact to General Revenue and other state funds. Oversight notes the possible litigation exposure as described by OA could also apply to colleges and universities, federal funds, as well as local political subdivisions as the LEF does not cover costs for local political subdivisions or colleges and universities in most cases. For fiscal note purposes only, Oversight will range costs from \$0 to (Unknown) for all funds. Oversight will assume the unknown impact could reach the \$250,000 threshold.

In response to similar legislation from this year, HCS for HB 1457, officials from the **Jackson County Election Board**, the **St. Louis City Board of Elections**, the **Phelps County Sheriff**, the **Kansas City Public School Retirement System**, the **Morgan County Public Water Supply District #2**, the **Joint Committee on Education**, the **City of Osceola**, the **Osceola Water/Wastewater District** and the **Mid-Continent Public Library** and the **Missouri Office of Prosecution Services** each assumed 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.

§610.021 – Sunshine Law

In response to similar legislation from 2024, Perfected HCS for HB 1720, officials from the **Missouri Higher Education Loan Authority** assumed 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.

In response to a previous version, officials from the **City of O'Fallon** and the **Wayne County PWSD #2** each assumed 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.

§610.026 – Fees on Public Records Request

Oversight assumes this amendment establishes procedures for withdrawing a request for public records within a certain amount of time if the requester fails to remit fees that are due. Oversight assumes this amendment would have no fiscal impact on this proposal.

Responses regarding the proposed legislation as a whole

Officials from the **Office of the State Courts Administrator (OSCA)** state this proposal may have some impact but there is no way to quantify that amount currently. Any significant changes will be reflected in future budget requests.

Oversight notes OSCA assumes this proposal may have some impact on their organization although it can't be quantified at this time. As OSCA is unable to provide additional information regarding the potential impact, Oversight assumes the proposed legislation will have a \$0 to (Unknown) cost to the General Revenue Fund. For fiscal note purposes, Oversight also assumes the impact will be under \$250,000 annually. If this assumption is incorrect, this would alter the fiscal impact as presented in this fiscal note. If additional information is received, Oversight will review it to determine if an updated fiscal note should be prepared and seek approval to publish a new fiscal note.

Officials from the **Office of Attorney General (AGO)** assume any potential litigation costs arising from this proposal can be absorbed with existing resources. The AGO may seek additional appropriations if the proposal results in a significant increase in litigation or investigation costs.

Oversight does not have any information to the contrary. Therefore, Oversight assumes the AGO will be able to perform any additional duties required by this proposal with current staff and resources and will reflect no fiscal impact to the AGO for fiscal note purposes.

Officials from the **Office of Administration - Administrative Hearing Commission**, the **Office of Administration - Budget and Planning**, the **Department of Elementary and Secondary Education**, the **Department of Higher Education and Workforce Development**, the **Department of Natural Resources**, the **Department of Corrections**, the **Department of Labor and Industrial Relations**, the **Department of Revenue**, the **Department of Public Safety - (Capitol Police, Fire Safety, Office of the Director, Division of Alcohol and Tobacco Control, Missouri Highway Patrol, Missouri Gaming Commission, Missouri Veterans Commission, State Emergency Management Agency)**, **Office of the Governor**, the **Office of the Lieutenant Governor**, the **Missouri Department of Agriculture**, the **Missouri Department of Conservation**, the **Department of Social Services**, the **Missouri Ethics Commission**, the **Missouri Department of Transportation**, the **Missouri National Guard**, the **MoDOT & Patrol Employees' Retirement System**, the **Petroleum Storage Tank Insurance Fund**, the **Office of the Secretary of State**, the **University of Missouri System**, **Kansas City**, the **Kansas City Election Board**, the **Platte County Board of Elections**, the **St. Louis County**

Board of Elections, the Newton County Health Department, the Christian County Auditor's Office, the Clay County Auditor's Office, the Branson Police Department, the Kansas City Police Department, the St. Louis County Police Department, the County Employees Retirement Fund, the Kansas City Civilian Police Employees' Retirement, the Kansas City Police Retirement System, the Metro St. Louis Sewer District Employees Pension Plan, the Public Education Employees' Retirement System, the Sheriff's Retirement System, the Metropolitan St. Louis Sewer District, the South River Drainage District, St. Charles County PWS #2, the University of Central Missouri, Northwest Missouri State University, the Joint Committee on Administrative Rules, the Joint Committee on Public Employee Retirement, the Missouri Lottery Commission, the Missouri Consolidated Health Care Plan, the Missouri State Employee's Retirement System, the State Tax Commission, the Department of Commerce and Insurance, the Department of Economic Development, the Department of Health and Senior Services, the Department of Mental Health, the Office of the State Treasurer, the Office of the State Public Defender, the Office of the State Auditor, the Missouri House of Representatives, Legislative Research, Missouri Senate and the Oversight Division 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.

In response to a previous version, officials from the **Rolling Hills Consolidated Library** assumed 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 for these agencies.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other cities, counties, local election authorities, county health departments, county recorders, nursing homes, county assessors, county auditors, county circuit clerks, county collectors, county prosecutors, county treasurers, county public administrators, local law enforcement agencies, fire protection districts, ambulance districts, retirement agencies, schools, utility districts, hospitals, colleges, electric companies and coops, solid waste management districts and public libraries 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 2026 (10 Mo.)	FY 2027	FY 2028
GENERAL REVENUE FUND			
<u>Costs</u> – OSCA (§§476.1300 - 476.1313) – potential increase in costs p. 4	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<u>Costs</u> – State agencies (§§476.1300 - 476.1313) – potential contributions to Legal Expense Fund for violations and payment of claims p. 3	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>
OTHER STATE FUNDS			
<u>Costs</u> (§§476.1300 - 476.1313) – potential contributions to Legal Expense Fund for violations and payment of claims p. 3	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
ESTIMATED NET EFFECT ON OTHER STATE FUNDS	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>
LEGAL EXPENSE FUND			
<u>Income</u> – (§§476.1300 - 476.1313) - payments to cover potential costs of payouts for violations and payment of claims p. 3	<u>\$0 to Unknown</u>	<u>\$0 to Unknown</u>	<u>\$0 to Unknown</u>
<u>Costs</u> (§§476.1300 - 476.1313) – payouts for violations and payment of claims p. 3	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
ESTIMATED NET EFFECT ON THE LEGAL EXPENSE FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
COLLEGES AND UNIVERSITIES			
<u>Costs</u> – (§§476.1300 - 476.1313) – increase in potential judgements for violations and payments of claims p. 3	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
ESTIMATED NET EFFECT ON COLLEGES AND UNIVERSITIES	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
FEDERAL FUNDS			
<u>Costs</u> – (§§476.1300 - 476.1313) – increase in potential judgements for violations and payments of claims p. 3	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
ESTIMATED NET EFFECT ON FEDERAL FUNDS	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

<u>FISCAL IMPACT – Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
LOCAL POLITICAL SUBDIVISIONS			
<u>Costs</u> – (§§476.1300 - 476.1313) – increase in potential judgements for violations and payments of claims p. 3	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

This act modifies provisions relating to the disclosure of certain records.

JUDICIAL PRIVACY ACT (SECTIONS 476.1300 TO 476.1313)

This act modifies the Judicial Privacy Act by providing for the regulation of the use of personal information of certain court-related officers, including circuit clerks, court administrators, deputy circuit clerks, division clerks, municipal clerks, juvenile officers, chief deputy juvenile officers, and any employee of a prosecuting or circuit attorney.

The act provides that the Judicial Privacy Act shall not apply to personal information present in records of court proceedings on the statewide court automation system (Missouri Case.net). Additionally, under this act, no person, business, or association shall publicly post or display on the internet a judicial officer's personal information if such person, business, or association has received a written request, rather than if the judicial officer has provided written consent or made a written request.

SUNSHINE LAW (610.021 and 610.026)

This act authorizes additional bases to close public meetings and records under the Sunshine Law. Currently, certain individually identifiable customer records of a municipally owned utility may be closed. This act adds customers of a utility operated by a political subdivision created in St. Louis City or St. Louis County. Any portion of a record that contains individually identifiable information of a minor under eighteen years of age held by a city, town, village, or park board may be closed, provided that such record shall be made available to Division of Labor Standards for purposes of enforcing child labor laws. Customer information for visitors to a Missouri state park, a county or municipal park, or state historic site regarding a lodging reservation, except for the municipality and zip code of the visitor, may be closed unless requested by the visitor. Finally, records to protect the specific location of an endangered plant or animal species may be closed when the known location may cause the species to be at an increased risk of peril.

Currently, payment of copying fees may be requested prior to the making of copies. This act modifies this provision so that payment of any fees may be requested prior to fulfilling the request. Except as provided in the act, a request for public records to a public governmental body shall be considered withdrawn if the requester fails to remit all fees within ninety days of a request for payment of the fees by the public governmental body. The public body shall include notice to the requester that the failure to remit the fees within ninety days shall result in the request being considered withdrawn. If a public body responds to a records request in order to seek clarification of the request and no response to the clarification request is received within ninety days, then such request shall be considered withdrawn. The request for clarification shall include notice to the requester that the request shall be considered withdrawn if there is no response within ninety days. If the same or a substantially similar request for records is made within six months of the expiration of the sixty day period and no fee was remitted for the original request or no response to the request for clarification was received, then the public body can request payment of fees made for the original request. If the requested fees are greater than

\$1,000, then the request shall be considered withdrawn if the requester fails to remit all fees within 150 days. Further, any request for records that is pending on August 28, 2025, shall be considered withdrawn if all fees are not remitted by January 1, 2026.

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

Attorney General's Office
Office of Administration
 Administrative Hearing Commission
 Budget and Planning
 Office of the Commissioner
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 –
 Alcohol and Tobacco Control
 Capitol Police
 Fire Safety
 Director's Office
 Missouri Gaming Commission
 Missouri State Highway Patrol
 Missouri Veterans Commission
 State Emergency Management Agency
Department of Social Services
Office of the Governor
Missouri National Guard
Missouri Department of Agriculture
Missouri Department of Conservation
Missouri Ethics Commission
Missouri Department of Transportation
MoDOT & Patrol Employees' Retirement System
Petroleum Storage Tank Insurance Fund
Office of the Secretary of State

Office of the State Treasurer
Office of the State Public Defender
University of Missouri System
City of Kansas City
City of Osceola
Jackson County Election Board
Kansas City Election Board
Platte County Board of Elections
St. Louis City Board of Elections
St. Louis County Board of Elections
Newton County Health Department
Clay County Auditor
Phelps County Sheriff
Branson Police Department
Kansas City Police Department
St. Louis County Police Department
County Employees Retirement Fund
Kansas City Civilian Police Employees' Retirement
Kansas City Police Retirement System
Kansas City Public School Retirement System
Public Education Employees' Retirement System
Sheriff's Retirement System
Metropolitan St. Louis Sewer District
Metro St. Louis Sewer District Employees Pension Plan
Morgan County Public Water Supply District #2
Osceola Water/Wastewater District
South River Drainage District
St. Charles County Public Water Supply District #2
Wayne County Public Water Supply District #2
University of Central Missouri
Northwest Missouri State University
Office of the Lieutenant Governor
Office of the State Auditor
Missouri House of Representatives
Joint Committee on Administrative Rules
Joint Committee on Education
Joint Committee on Public Employee Retirement
Legislative Research
Oversight Division
Missouri Senate
Missouri Lottery Commission
Missouri Consolidated Health Care Plan
Missouri State Employee's Retirement System
Missouri Office of Prosecution Services

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Bill No. Truly Agreed To and Finally Passed SS for SCS for HCS for HB Nos. 145 & 59

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Office of the State Courts Administrator

State Tax Commission

Mid-Continent Public Library

City of O'Fallon

Missouri Higher Education Loan Authority

Christian County Auditor's Office

Rolling Hills Consolidated Library



Julie Morff

Director

June 11, 2025



Jessica Harris

Assistant Director

June 11, 2025