

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1589H.011
Bill No.: HB 461
Subject: Education, Elementary and Secondary; Department of Elementary and Secondary
Education; Children and Minors
Type: Original
Date: January 13, 2025

Bill Summary: This proposal requires instruction on human sexuality and development in schools.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
General Revenue	(\$46,854)	\$0	\$0
Total Estimated Net Effect on General Revenue	(\$46,854)	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

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

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Total Estimated Net Effect on FTE	0	0	0

- 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	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Section 170.015 - Human sexuality and development in schools

Officials from the **Department of Elementary and Secondary Education (DESE)** assume a need to review the academic standards in order to properly support the implementation of this change. Workgroup costs would be \$46,854 which would include four meetings with 18 content area professionals (2 from each of the 9 RPDCs).

If multiple pieces of legislation are passed in the health/PE area DESE may not be able to absorb all of the duties and would need to seek additional FTE through the appropriations process.

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.

Officials from the **Department of Health and Senior Services** and the **Department of Social Services** 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 for these agencies.

In response to similar legislation, HB 1576 (2024), officials from the **Henry County R-1 School District** assumed the proposal will have no fiscal impact on their organization.

In response to a similar proposal, HB 137 (2023), officials from the **Sturgeon R-V School District** assume the proposal will have no fiscal impact on their organization.

In response to a similar proposal, HB 786 (2021), officials from the **Springfield R-XII School District** assumed the curriculum review and notification processes would cost \$10,000.

In response to a similar proposal, HB 786 (2021), officials from the **High Point R-III School District** assumed the proposal would have no fiscal impact on their organization.

Oversight assumes school districts could electronically provide the described information and absorb costs related to curriculum review and notification; therefore, Oversight will reflect a zero impact in the fiscal note for school districts.

Oversight received a limited number of responses from school districts related to the fiscal impact of this proposal. 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, other school districts were requested to respond to this proposed legislation but did not. A listing of political subdivisions included in the MOLIS database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
GENERAL REVENUE			
<u>Costs – DESE – to convene a work group - \$170,015</u>	(46,854)	\$0	\$0
ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>(\$46,854)</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
	<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 modifies the course materials and instruction relating to human sexuality to include beginning in the 2025-26 school year a human growth and development discussion. The bill requires districts and charter schools to require such instruction beginning in grade 3 and outlines requirements including requiring a high-definition video of fetal development and the "Meet Baby Olivia" video showing the process of fertilization and every stage of human development.

The bill provides the Attorney General standing as parens patriae to enforce the requirements and provides a cause of action for damages and relief.

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

Attorney General's Office

Department of Social Services

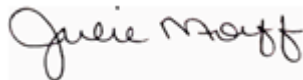
Department of Health and Senior Services

Henry County R-1 School District

Sturgeon R-V School District

Springfield R-XII School District

High Point R-III School District



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January 13, 2025



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January 13, 2025