

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4007H.011
Bill No.: HB 1698
Subject: Elementary and Secondary Education; Department of Elementary and Secondary Education; Children and Minors; Teachers
Type: Original
Date: February 3, 2026

Bill Summary: This proposal establishes antibullying requirements for school districts.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND

FUND AFFECTED	FY 2027	FY 2028	FY 2029
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS

FUND AFFECTED	FY 2027	FY 2028	FY 2029
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 2027	FY 2028	FY 2029
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)

FUND AFFECTED	FY 2027	FY 2028	FY 2029
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 2027	FY 2028	FY 2029
Local Government*	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

*Oversight notes this proposal could increase potential civil action against the school district however if the school district prevails the court can award court cost and attorney fees back to the school district.

FISCAL ANALYSIS

ASSUMPTION

§160.775 - Sawyer's Law

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 **Department of Elementary and Secondary Education, Department of Social Services, and Office of the State Courts Administrator** each assume the proposal will have no fiscal impact on their 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 **Republic R-III School District** assume if passed, this bill would likely require a part time secretary type person to ensure all reporting requirements are met. Republic has a school district of approximately 5300 students so some districts would need more than one part time person. For Republic schools, this would equate to around \$25,000 per year.

Officials from **High Point R-III School District** assume the proposal will have a fiscal impact on their organization but did not provide any additional information.

Officials from **Sedalia 200 School District** assume the proposal will have no fiscal impact on their organization.

Oversight assumes there could be costs for school districts to implement or if a parent brings a civil action against a district. Oversight will show a range of impact of \$0 or an unknown cost.

Oversight notes that Section 160.775.9 (2) states that if a school district or charter school, or an employee of such district or charter school, prevails in an action brought against such school district, charter school, or employee described in subdivision (1) of this subsection, the court shall award court costs and attorney's fees to such prevailing school district, charter school, or employee. For purposes of the fiscal note, Oversight will reflect a \$0 or unknown potential revenue to school districts in the fiscal note.

Oversight notes school districts would not notice a net gain, if districts received court and attorney fees this would counteract the district's cost to receive judgement. Therefore, Oversight

would assume revenue and cost would net to zero in cases in which settlements are in favor of the districts.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other school districts were requested to respond to this proposed legislation but did not. 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. A general listing of political subdivisions included in our database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029
LOCAL POLITICAL SUBDIVISIONS			
<u>Revenue</u> – School districts (§160.775) Potential collection of court fees and attorney’s fees if the school district prevails p.3	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
<u>Cost</u> – School districts (§160.775) For implementation costs, court costs, attorney fees and damages p.3	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

This bill modifies Section 160.775, RSMo, and specifies that the section be known as "Sawyer's Law".

The bill defines "act of school violence" or "violent behavior" and provides a definition for a "zero-tolerance disciplinary policy".

The bill requires any school bullying policy to include a restriction on zero-tolerance disciplinary policies and a requirement for the school to consider if the student was responding to an act of school violence or violent behavior committed against the student. The bill requires charter schools to adopt and school districts to update current school bullying policies.

Currently, employees who witness an incident of bullying must report the incident within two days. This bill lowers the reporting requirement to immediately upon the employee witnessing the incident and requires that all reported incidents be submitted in writing. Results of investigations must include a description of any interventions, initiatives, techniques, or discipline provided to all students involved on a standardized form developed by the district.

The policy is required to outline a procedure for responding to an investigation that finds an act of bullying has occurred. The procedure must include notifying the parents or guardians of the bullied student and of the bullying student. If the investigation finds that the bullying meets the criteria of 2nd degree harassment, a referral must be sent to law enforcement, or to the Children's Division if the bullying student is under 11 years of age. Additionally, students committing acts of bullying must be included in educational trainings and prevention initiatives.

The bill requires the policy to outline annual mandatory training for any district or charter school employee and volunteer that has contact with students; training on appropriate interventions and associated liability for action or inaction must be included in the training.

This bill requires the school administration to report monthly to the school board or governing board all acts of bullying, discipline for bullying, and all other disciplinary referrals. The school board or governing board must review the monthly report in a closed meeting and address concerns related to reported incidents within 30 days.

The bill provides immunity from liability for any school district or charter school employee and volunteer who intervenes in an incident of school violence, violent behavior, or criminal actions against any student that is a victim of bullying; the bill specifies that the employee must follow the proper procedure and act in good faith to intervene under the defense of justification provided under Chapter 563.

The bill provides protection from civil liability for any school district or charter school for disciplinary actions if the procedures were properly followed and if a suit is brought the school may recoup attorney's fees if they prevail.

This bill requires that for reporting requirements for mandated reporters under Section 210.115, bullying, incidents of school violence, and crime, are considered abuse and required to be reported, with protections provided for reporting compliance.

The bill prevents a charter school from expelling or transferring a student out of the school solely due to reports of bullying.

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
Department of Elementary and Secondary Education
Department of Social Services
Office of the State Courts Administrator
High Point R-III School District
Republic R-III School District
Sedalia 200 School District

Julie Morff
Director



Jessica Harris
Assistant Director
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