

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

LR No.: 0143-03
Bill No.: HB 255
Subject: Ethics: Campaign Finance
Type: Original
Date: February 18, 2005

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials of the **Missouri Ethics Commission** assume no fiscal impact.

Officials of the **Office of State Courts Administrator** assume there would be some increase in the number of cases filed in Cole County, however, officials stated they did not anticipate a fiscal impact on the judiciary.

Officials of the **Office of Prosecution Services** assume no direct fiscal impact on County Prosecutors.

Officials of the **Office of Attorney General, State Public Defender, and the Department of Corrections** did not respond.

Oversight assumes there would be substantial compliance with the law, and any fiscal impact to the Office of Attorney General, Office of State Public Defender or the Department of Corrections could be absorbed with existing resources.

<u>FISCAL IMPACT - State Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
	<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.

DESCRIPTION

This bill changes the laws regarding campaign finance disclosure report complaints. In its main provisions, the bill:

- (1) Requires that the person named in the complaint be given the complainant's name, address, and telephone number;
- (2) Permits when the Missouri Ethics Commission to assess reasonable investigation and defense costs against persons filing complaints when the Commission finds the complaints to be motivated by malice or reasons contrary to the spirit of the law;
- (3) Makes the complaint a closed record until the Commission completes its investigation and renders its findings and conclusions;
- (4) Subjects persons or entities who disclose any information about a complaint while it is still a closed record to a civil penalty not to exceed \$2,500 and, upon conviction, a criminal penalty not to exceed \$2,500 and/or a term of imprisonment not to exceed one year;
- (5) Changes the language regarding the notice that must be given to subjects of complaints and commission investigations from actual notice to notice;

DESCRIPTION (continued)

(6) Changes the body to which subjects of complaints and commission investigations may appeal commission actions from the Administrative Hearing Commission to the Circuit Court of Cole County; and

(7) Requires persons requesting to inspect or copy campaign finance disclosure reports to provide photo identification.

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

Missouri Ethics Commission
Office of State Courts Administrator
Office of Prosecution Services

NOT RESPONDING

Office of Attorney General
Office of State Public Defender
Department of Corrections



Mickey Wilson, CPA
Director
February 18, 2005