

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0383-01
Bill No.: HB 290
Subject: Education, Elementary and Secondary; Teachers; Drugs and Controlled Substances
Type: Original
Date: February 9, 2009

Bill Summary: Requires the board of education of any school district to adopt a policy for the random testing of the district's teachers and other employees for the unlawful use of controlled substances

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Local Government	(Expected to exceed \$100,000)	(Expected to exceed \$100,000)	(Expected to exceed \$100,000)

FISCAL ANALYSIS

ASSUMPTION

According to officials from the **Office of Secretary of State (SOS)**, 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 \$2,500.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

Officials from the **Department of Elementary and Secondary Education** assume no fiscal impact to their agency. Depending upon the extent to which school districts test employees, costs to individual districts could vary. Statewide costs to school districts will likely be significant.

Officials from the **Francis Howell School District** state their district currently has a random drug testing program for students. The cost is about \$51 per test. Assuming they would test 25% of the staff each year, the proposed legislation would have a \$31,000 fiscal impact on their district.

Officials from the **Parkway School District** estimate a cost of approximately \$56,500 for the first year, which includes initial set-up. This is based on testing 50% of their 1,400 employees at \$40 per test, and the random selection software.

Officials from the **Sikeston School District** assumes the cost will depend upon the number of staff members to be tested and the frequency of the tests. In addition, there would be costs associated with the management and implementation of the random drug testing. Also, the type of drugs that would be screened in the test could affect the cost.

<u>FISCAL IMPACT - State Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
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LOCAL POLITICAL SUBDIVISIONS

<u>Cost</u> - School Districts - Random drug testing of school employees	(Expected to exceed <u>\$100,000</u>)	(Expected to exceed <u>\$100,000</u>)	(Expected to exceed <u>\$100,000</u>)
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EXPECTED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	<u>(Expected to exceed \$100,000)</u>	<u>(Expected to exceed \$100,000)</u>	<u>(Expected to exceed \$100,000)</u>
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FISCAL IMPACT - Small Business

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

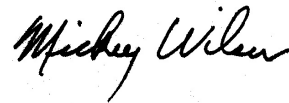
FISCAL DESCRIPTION

This proposal requires each school district board of education to adopt a policy, according to rules and regulations adopted by the Department of Elementary and Secondary Education, for the random testing of its teachers and other employees for the unlawful use of controlled substances. A positive test will result in immediate dismissal.

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
Office of Secretary of State
Administrative Rules Division
School Districts
Francis Howell
Parkway
Sikeston

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Director
February 9, 2009