

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0040-01  
Bill No.: HB 354  
Subject: Children and Minors; Domestic Relations  
Type: Original  
Date: January 25, 2017

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Bill Summary: This proposal specifies that parental liberty to direct the upbringing, education, and care of his or her children is a fundamental right not subject to infringement without demonstrating a compelling governmental interest.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
<b>Local Government</b>	<b>(Unknown)</b>	<b>(Unknown)</b>	<b>(Unknown)</b>

**FISCAL ANALYSIS**

**ASSUMPTION**

Officials from the **Office of Attorney General (AGO)** assume any potential 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 cases.

Officials from the **Pettis County R-XII School District** state, depending on how the proposal is interpreted, the proposal could have significant costs to the school district.

Officials from the **Forsyth R-III Schools** assume the proposal will have a negative fiscal impact on their school district.

**Oversight** notes officials from the Pettis County School District and the Forsyth Schools did not provide an estimate of the potential negative impact the proposal may have on their school districts; therefore, Oversight assumes unknown costs to school districts.

Officials from the **Department of Elementary and Secondary Education, the Department of Health and Senior Services, the Department of Mental Health, the Department of Social Services, Children’s Division, Division of Youth Services and Division of Legal Services, the Office of State Courts Administrator, the Everton R-III School District, the Kansas City Public Schools, the Kirksville R-III School District, the Seymour R-II Schools and the West Plains Schools** each assume the proposal would not fiscally impact their respective agencies.

<u>FISCAL IMPACT - State Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
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**LOCAL GOVERNMENTS - SCHOOL DISTRICTS**

<u>Costs - School Districts</u>			
Increase in legal fees	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>

<b>ESTIMATED NET EFFECT ON LOCAL GOVERNMENTS - SCHOOL DISTRICTS</b>	<b><u>(Unknown)</u></b>	<b><u>(Unknown)</u></b>	<b><u>(Unknown)</u></b>
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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

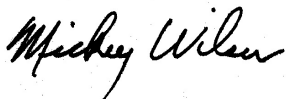
This bill specifies that the liberty of a parent to direct the upbringing, education, and care of his or her child is a fundamental right. The State of Missouri and any political subdivision of the state is prohibited from infringing on this right without demonstrating a compelling governmental interest.

Any law or policy must be narrowly tailored to achieve a compelling state interest and by the least restrictive means. These provisions apply to all laws of the state, whether adopted before or after the enactment of these provisions. Any law adopted after the enactment of these provisions is exempt only if the law explicitly excludes the application by reference to these provisions.

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

Office of Attorney General  
Department of Elementary and Secondary Education  
Department of Health and Senior Services  
Department of Mental Health  
Department of Social Services  
Office of State Courts Administrator  
Everton R-III School District  
Forsyth R-III Schools  
Kansas City Public Schools  
Kirksville R-III School District  
Pettis County R-XII School District  
Seymour R-II Schools  
West Plains Schools



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