

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0040-02
Bill No.: HCS for HB 354
Subject: Children and Minors; Domestic Relations
Type: Original
Date: March 8, 2017

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

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

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

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

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

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

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 **Orrick R-XI School District** assume an unknown fiscal impact.

Oversight notes officials from the Orrick School District did not indicate whether the impact is positive or negative and, therefore, will not use it to determine the fiscal impact for local governments/school districts.

In response to the previous version of this proposal, officials from the **Pettis County R-XII School District** stated, depending on how the proposal is interpreted, the proposal could have significant costs to the school district.

In response to the previous version of this proposal, officials from the **Forsyth R-III Schools** assumed 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**, the **Office of State Courts Administrator** and the **Kansas City Public Schools** each assume the proposal would not fiscally impact their respective agencies.

In response to the previous version of this proposal, officials from the **Everton R-III School District**, the **Kirksville R-III School District**, the **Seymour R-II Schools** and the **West Plains Schools** each assumed 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
LOCAL GOVERNMENTS - SCHOOL DISTRICTS			
<u>Costs - School Districts</u>			
Increase in legal fees	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT ON LOCAL GOVERNMENTS - SCHOOL DISTRICTS	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</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 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.

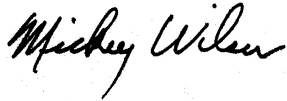
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

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

SOURCES OF INFORMATION (continued)

Office of State Courts Administrator
Everton R-III School District
Forsyth R-III Schools
Kansas City Public Schools
Kirksville R-III School District
Orrick R-XI School District
Pettis County R-XII School District
Seymour R-II Schools
West Plains Schools



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March 8, 2017

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