

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0360-02
Bill No.: Perfected HCS for HB Nos. 91, 42, 131, 265 & 314
Subject: Employees - Employers; Labor and Management
Type: Original
Date: January 18, 2017

Bill Summary: This proposal specifies that a person cannot be required to become or refrain from becoming a member of or paying dues to a labor organization as a condition or continuation of employment.

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 9 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	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials at the **Office of Administration - General Services** *assumes that neither any state agency nor any state employee would violate the proposal. Therefore, it is assumed that no successful claims will be made against the Legal Expense Fund and the proposal would thus have no fiscal impact upon the Office of Administration—General Services. However, should that assumption prove incorrect, significant costs could be incurred by the Legal Expense Fund.*

§290.590 – This proposed legislation would invalidate any requirement that employees join or refrain from joining a labor organization as a condition of employment and would prohibit any required payment of dues, assessments or similar fees to a labor organization or equivalent payments to third parties. Any person who is injured as a result of any violation or threatened violation of this law shall be entitled to injunctive relief against any and all violators or persons threatening violations and may recover any and all damages including costs and reasonable attorney fees.

The state Self-assumes its own liability under the state Legal Expense Fund, Section 105.711, RSMo. It is a self-funding mechanism whereby funds are made available for the payment of any claim or judgment rendered against the state in regard to the waivers of sovereign immunity or against employees and specified and individuals. Investigation, defense, negotiation or settlement of such claims is provided by the Office of the Attorney General. Payment is made by the Commissioner of Administration with the approval of the Attorney General.

If a claim were successfully brought against a state agency or a state employee alleging a violation of this proposal, the Legal Expense Fund could be required to pay such claim or claims.

Officials at the **Office of Administration - Personnel** assume this proposal would have no impact on their organization.

Officials at the **Department of Corrections, Department of Social Services, Department of Health and Senior Services, and Department of Mental Health** each defer to the Office of Administration - Personnel for a fiscal impact.

Officials at the **Office of Administration - Administrative Hearing Commission, Office of Administration - Budget and Planning, Department of Conservation, Department of Economic Development, Missouri Ethics Commission, Department of Higher Education, Department of Labor and Industrial Relations, Missouri Lottery Commission, Missouri Consolidated Health Care Plan, Missouri State Employees' Retirement System, State Highway Employees Retirement System, Department of Natural Resources, Missouri Tax**

ASSUMPTION (continued)

Commission, Office of State Courts Administrator, State Treasurer's Office, Department of Insurance, Financial Institutions and Professional Registration, Office of Secretary of State, Department of Public Safety - Missouri Veterans Commission, State Public Defender's Office, Department of Transportation, Department of Revenue, Joint Committee on Public Employee Retirement, Office of Prosecution Services, Department of Public Safety - Gaming Commission, Department of Public Safety - Capitol Police, and Department of Public Safety - Director's Office each assume this proposal will not have a fiscal impact on their respective organizations.

Officials at the **Bi-State Development** assume this proposal would not have a fiscal impact on their organization.

Officials at the school districts of **Bakersfield R-IV, Concordia R-II, Kearney R-I, Kirskville R-III, City of Kansas City, Pettis County R-XII, and West Plains R-VII** each assume this proposal will not have a fiscal impact on their respective organizations.

Officials at the **Missouri Western State University, Missouri State University, Northwest Missouri State University, State Technical College of Missouri, Truman State University, University of Missouri, and Metropolitan Community College** each assume this proposal would not have a fiscal impact on their respective organizations.

In response to a previous version of this proposal (0360-01), officials at the **Attorney General's Office** assumed that any potential costs arising from this proposal can be absorbed with existing resources.

In response to a previous version of this proposal (0360-01), officials at the **Department of Agriculture, State Auditor's Office, Department of Elementary and Secondary Education, Governor's Office, Lieutenant Governor's Office, Missouri House of Representatives, Joint Committee on Administrative Rules, Missouri National Guard, Missouri Senate, Department of Public Safety - Fire Safety Division, Department of Public Safety - Alcohol and Tobacco, Department of Public Safety - State Emergency Management Agency, and Department of Public Safety - Highway Patrol** each assumed this proposal will not have a fiscal impact on their respective organizations.

In response to a previous version of this proposal (360-01), officials at the cities of **Columbia, Excelsior Springs, Kansas City** each assumed this proposal will not have a fiscal impact on their respective organizations.

ASSUMPTION (continued)

In response to a previous version of this proposal (360-01), officials at the counties of **Callaway, Cape Girardeau, and St. Louis** each assumed the proposal will not have a fiscal impact on their respective organizations.

In response to a previous version of this proposal (360-01), officials at the **University of Central Missouri** assumed the proposal will not have a fiscal impact on their respective organizations.

In response to a previous version of this proposal (360-01), officials at the school districts of **Bowling Green R-I, Bronaugh R-VII, Cole County R-I, Eldon R-I, Malta Bend, Middle Grove C-I, Parkway, St. Elizabeth R-IV, Seymour R-II, Special School District of St. Louis County, Warren County R-III, Wentzville R-IV, and Wright City R-II** assumed the proposal will not have a fiscal impact on their respective organizations.

Officials at the following cities: Ashland, Belton, Bernie, Bonne Terre, Boonville, California, Cape Girardeau, Clayton, Dardenne Prairie, Des Peres, Florissant, Frontenac, Fulton, Gladstone, Grandview, Harrisonville, Independence, Jefferson City, Joplin, Kearney, Knob Noster, Ladue, Lake Ozark, Lee Summit, Liberty, Louisiana, Maryland Heights, Maryville, Mexico, Monett, Neosho, O'Fallon, Pacific, Peculiar, Pineville, Popular Bluff, Raytown, Republic, Richmond, Rolla, Sedalia, Springfield, St. Charles, St. Joseph, St. Louis, St. Robert, Sugar Creek, Sullivan, Warrensburg, Warrenton, Webb City, Weldon Spring and West Plains did not respond to **Oversight's** request for fiscal impact.

Officials at the following counties: Andrew, Atchison, Audrain, Barry, Bollinger, Boone, Buchanan, Camden, Carroll, Cass, Christian, Clay, Cole, Cooper, DeKalb, Dent, Franklin, Greene, Holt, Jackson, Jefferson, Johnson, Knox, Laclede, Lawrence, Lincoln, Maries, Marion, McDonald, Miller, Mississippi, Moniteau, Monroe, Montgomery, New Madrid, Nodaway, Ozark, Perry, Pettis, Phelps, Platte, Pulaski, Scott, Shelby, St. Charles, St. Francois, Taney, Warren, Wayne and Worth did not respond to **Oversight's** request for fiscal impact.

Officials at the following colleges: Crowder, East Central Community College, Harris-Stowe, Jefferson College, Lincoln University, Moberly Area Community College, Missouri Southern State University, Southeast Missouri State University, State Fair Community College, St. Charles Community College, St. Louis Community College, did not Three Rivers Community College respond to **Oversight's** request for fiscal impact.

Officials at the following school districts: Arcadia Valley R-2, Aurora R-8, Avilla R-13, Belton, Benton County R-2, Bismark R-5, Bloomfield R-14, Blue Springs, Bolivar R-I, Branson, Brentwood, Campbell R-2, Carrollton R-7, Caruthersville, Cassville R-4, Central R-III, Chilhowee R-4, Chillicothe R-II, Clarkton C-4, Columbia, Crawford County R-1, Crocker R-II,

ASSUMPTION (continued)

Delta C-7, East Carter R-2, East Newton R-6, Everton R-III, Fair Grove, Fair Play, Fayette R-3, Forsyth R-3, Fox C-6, Fredericktown R-I, Fulton, Grain Valley, Hancock Place, Hannibal, Harrisonburg R-8, Harrisonville, Hillsboro R-3, Hollister R-5, Humansville R-4, Hurley R-1, Independence, Jefferson City, Kennett #39, King City R-1, Kingston 42, Kirbyville R-VI, Laclede County R-1, Laredo R-7, Lee Summit, Leeton R-10, Lewis County C-1, Lindbergh, Lonedell R-14, Macon County R-1, Macon County R-4, Mehville, Mexico, Midway R-1, Milan C-2, Moberly, Monroe City R-I, Morgan County R-2, New Haven, Nixa, North St. Francois Co. R-1, Northeast Nodaway R-5, Odessa R-VII, Oregon-Howell R-III, Orrick R-11, Osage County R-II, Osborn R-O, Pattonville, Pierce City, Plato R-5, Princeton R-5, Raymore-Peculiar R-III, Raytown, Reeds Springs R-IV, Renick R-5, Richland R-1, Riverview Gardens, Salisbury R-4, Sarcoxie R-2, Scotland County R-I, Sedalia, Shelby County R-4, Shell Knob #78, Sikeston, Silex, Slater, Smithville R-2, Spickard R-II, Springfield, St Joseph, St Louis, St. Charles, Sullivan, Tipton R-6, Valley R-6, Verona R-7, Warrensburg R-6, Webster Groves, and Westview C-6 did not respond to **Oversight's** request for fiscal impact.

<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
	<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.

FISCAL DESCRIPTION

The proposed legislation appears to have no direct fiscal impact.

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 Administration - General Services
Office of Administration - Personnel
Office of Administration - Administrative Hearing Commission
Department of Conservation
Department of Economic Development
Department of Higher Education
Department of Mental Health
Department of Health and Senior Services
Department of Social Services
Joint Committee on Public Employee Retirement
Missouri Lottery Commission
Missouri Consolidated Health Care Plan
Missouri State Employees' Retirement System
Office of State Courts Administrator
State Highway Employees Retirement System
State Public Defender's Office
Department of Natural Resources
Department of Transportation
Department of Revenue
Missouri Ethics Commission
Missouri National Guard
Missouri Tax Commission
State Treasurer's Office
Department of Insurance, Financial Institutions and Professional Registration
Department of Public Safety - Missouri Veterans Commission
Office of Secretary of State
Office of Administration - Budget and Planning
Department of Agriculture
State Auditor's Office
Department of Elementary and Secondary Education
Department of Public Safety - Gaming Commission
Governor's Office
Lieutenant Governor's Office
Missouri House of Representatives
Department of Higher Education
Joint Committee on Administrative Rules
Department of Labor and Industrial Relations
Office of Prosecution Services
Missouri Senate

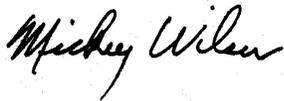
SOURCES OF INFORMATION (continued)

Attorney General's Office
Department of Public Safety - Director's Office
Department of Public Safety - Capitol Police
Department of Public Safety - Fire Safety Division
Department of Public Safety - Alcohol and Tobacco
Department of Public Safety - Highway Patrol
Department of Public Safety - State Emergency Management Agency
Bi-State Development
Missouri National Guard
Cities of:
 Columbia
 Excelsior Springs
 Kansas City
Counties of:
 Callaway
 Cape Girardeau
 St. Louis
Metropolitan Community College
Missouri State University
Missouri Western State University
Northwest Missouri State University
State Technical College of Missouri
Truman State University
University of Central Missouri
University of Missouri
School Districts of:
 Bakersfield R-IV
 City of Kansas City
 Kearney R-I
 Kirksville R-III
 West Plains R-VII
 Bowling Green R-I
 Bronaugh R-VII
 Cole County R-I
 Concordia R-II
 Eldon R-I
 Malta Bend
 Middle Grove C-I

SOURCES OF INFORMATION (continued)

School Districts of:

Parkway
Pettis County R-XII
St. Elizabeth R-IV
Seymour R-II
Special School District of St. Louis County
Warren County R-III
Wentzville R-IV
Wright City R-II



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