

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0580-01
Bill No.: HB 76
Subject: Civil Procedure; Courts
Type: Original
Date: December 29, 2016

Bill Summary: This proposal provides that certain persons shall not be required to disclose news sources or information.

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	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials at the **Office of the Attorney General (AGO)** assume that 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 at the **Office of the State Courts Administrator**, the **Office of the Governor**, the **Office of Administration's Administrative Hearing Commission** and the **Division of Budget and Planning**, the **Office of the State Public Defender**, the **Office of Prosecution Services** and the **Department of Labor and Industrial Relations** each assume no fiscal impact to their respective agencies from this proposal.

<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

This bill prohibits any covered person, as defined in the bill, from being required to disclose, in any federal or state proceeding, the source of any published or unpublished, broadcast or non-broadcast information obtained in the gathering, receiving, or processing of information for any covered person.

An order granting the disclosure of the information must only be issued if the court finds in a written order or in recorded proceedings that the information sought does not involve matters or details necessary in any proceeding and that all other available sources of information have been exhausted, and disclosure of the information is essential to the protection of the public interest involved in the proceedings.

If the court orders that the information be disclosed, it must also order the covered person to disclose the information. The privilege to not disclose the information remains in effect during any appeal process.

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 the Attorney General
Office of the State Courts Administrator
Office of the Governor
Office of Administration
 Administrative Hearing Commission
 Division of Budget and Planning
Office of the State Public Defender
Office of Prosecution Services
Department of Labor and Industrial Relations



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