

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0745-01  
Bill No.: HB 424  
Subject: Sunshine Law  
Type: Original  
Date: February 13, 2017

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Bill Summary: This proposal modifies provisions relating to the Missouri Sunshine Law.

**FISCAL SUMMARY**

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
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>

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
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 7 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
<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>			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
<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>			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## **FISCAL ANALYSIS**

### **ASSUMPTION**

Officials from the **Department of Social Services (DSS)** assume this proposal would amend current language which "strongly encourages" public governmental bodies to make information available in electronic formats, and states that if a public governmental body maintains its information in an electronic format, it shall make the information available in a format easily accessed and managed by programs commonly available to the public.

DSS has interpreted changes to Section 610.029.1 RSMo, which require DSS to make electronic documents and data available "in a format easily accessed and managed by programs commonly available to the public" to be met by its current process for handling electronic information and data requests. If the intent is for DSS to change its data systems so those systems are run by programs available to the public, there would be a significant fiscal impact.

Officials from the **Missouri Department of Conservation (MDC)** assume this proposal would result in an unknown fiscal impact to the Department but expected to be less than \$100,000 annually due to additional record keeping requirements.

Officials from the **Office of Administration - Budget and Planning** assumes by expanding the allowable sunshine request to include "electronic mobile communication" devices, more data may be accessible. If any associated state agency charged fees are reimbursements or cost recoveries, this proposal would not impact Total State Revenue (TSR). If the funds are fees for service, then TSR would increase by an unknown amount.

Officials from the **Office of the Secretary of State (SOS)** assume 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 Secretary of State's Office for Administrative Rules is less than \$2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, we also recognize that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what our office can sustain with our core budget. Therefore, we reserve the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

**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.

Officials from the **Joint Committee on Administrative Rules** state this legislation is not anticipated to cause a fiscal impact beyond its current appropriation.

Officials from the **Attorney General's Office** assume any potential cost arising from this proposal can be absorbed with existing resources.

Officials from **Callaway County** assume this proposal will cause most counties to acquire different software in which they store minutes. Cost will be thousands per County.

**Oversight** assumes most State Agencies and Local Political Subdivisions already maintain information in an electronic format that is easily accessible and commonly available to the public and therefore will show no fiscal impact as a result of this proposal.

Officials from the **Attorney General's Office, Department of Agriculture, Department of Economic Development (Public Service Commission, Office of the Public Council, and the Division of Energy), Department of Elementary and Secondary Education, Department of Higher Education, Department of Health and Senior Services, Department of Insurance, Financial Institutions and Professional Registration, Department of Mental Health, Department of Natural Resources, Department of Corrections, Department of Labor and Industrial Relations, Department of Revenue, Department of Public Safety (Office of the Director, Capitol Police, Alcohol & Tobacco Control, Fire Safety, Gaming Commission, Missouri Highway Patrol, Missouri National Guard, and the Veterans Commission), Office of the Governor, Joint Committee on Public Employee Retirement, Missouri Lottery Commission, Missouri Consolidated Health Care Plan, Missouri Ethics Commission, Missouri House of Representatives, Department of Transportation, Office of Prosecution Services, Missouri State Employee's Retirement System, MoDOT & Patrol Employees' Retirement System, Office of Administration (Administrative Hearing Commission, Information Technology Services Division, Commissioners Office), Office of the State Courts Administrator, Office of the State Auditor, Missouri Senate, Office of the State Public Defender, Office of the State Treasurer and the State Tax Commission** each assume the proposal will have no fiscal impact on their respective organizations.

ASSUMPTION (continued)

Officials from the **Metropolitan Community College, State Technical College of Missouri, University of Central Missouri, Missouri State University, Missouri Western State University, Forsyth R-III Schools, Parkway Schools, Wright City R-II School District, Kirksville R-III School District, West Plains School District, Everton R-III School District, Kansas City Public Schools, Pettis County R-XII School District, Kearney School District and Lee's Summit School District** each assume the proposal will have no fiscal impact on their respective organizations.

<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.

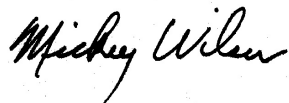
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

## SOURCES OF INFORMATION

Attorney General's Office  
Department of Agriculture  
Department of Economic Development  
    Public Service Commission  
    Office of the Public Council  
    Division of Energy  
Department of Elementary and Secondary Education  
Department of Higher Education  
Department of Health and Senior Services  
Department of Insurance, Financial Institutions and Professional Registration  
Department of Mental Health  
Department of Natural Resources  
Department of Corrections  
Department of Labor and Industrial Relations  
Department of Revenue  
Department of Public Safety  
    Office of the Director  
    Capitol Police  
    Alcohol & Tobacco Control  
    Fire Safety  
    Gaming Commission  
    Missouri Highway Patrol  
    Missouri National Guard  
    State Emergency Management Agency  
    Veterans Commission  
Department of Social Services  
Office of the Governor  
Joint Committee on Administrative Rules  
Joint Committee on Public Employee Retirement  
Missouri Lottery Commission  
Missouri Consolidated Health Care Plan  
Missouri Department of Conservation  
Missouri Ethics Commission  
Missouri House of Representatives  
Department of Transportation  
Office of Prosecution Services  
Missouri State Employee's Retirement System  
MoDOT & Patrol Employees' Retirement System

SOURCES OF INFORMATION (continued)

Office of Administration  
    Administrative Hearing Commission  
    Office of Administration - Budget and Planning  
Office of the State Courts Administrator  
Office of the State Auditor  
Missouri Senate  
Office of the Secretary of State  
Office of the State Public Defender  
Office of the State Treasurer  
State Tax Commission  
Metropolitan Community College  
State Technical College of Missouri  
University of Central Missouri  
Missouri State University  
Missouri Western State University  
Forsyth R-III Schools, Parkway Schools  
Wright City R-II School District  
Kirksville R-III School District  
West Plains School District  
Everton R-III School District  
Kansas City Public Schools  
Pettis County R-XII School District  
Kearney School District  
Lee's Summit School District  
Callaway County



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