

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0800-01
Bill No.: HB 314
Subject: Labor and Management; Employees - Employers
Type: Original
Date: January 6, 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 8 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

In response to a similar proposal (HB 91) from this session, officials at the **Office of Administration - General Services** *assumed 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 Health and Senior Services, Department of Mental Health, and Department of Social Services** each defer to Office of Administration - Personnel for fiscal impact.

In response to similar proposal (HB 91) from this session, officials at the **Attorney General's Office** assumed that any potential costs arising from this proposal can be absorbed with existing resources.

ASSUMPTION (continued)

Officials at the **Office of Administration - Budget and Planning, Office of Administration - Administrative Hearing Commission, State Auditor's Office, Department of Conservation, Department of Economic Development, Missouri Ethics Commission, Department of Public Safety - Gaming Commission, Governor's Office, Lieutenant Governor's Office, Department of Higher Education, Department of Insurance, Financial Institutions and Professional Registration, Joint Committee on Administrative Rules, Joint Committee on Public Employment Retirement, Department of Labor and Industrial Relations, Lottery Commission, Missouri Consolidated Health Care Plan, State Highway Employees Retirement System, Department of Natural Resources, State Public Defender's Office, Office of Prosecution Services, Department of Revenue, Missouri Senate, Missouri House of Representatives, Office of Secretary of State, Missouri Tax Commission, State Treasurer's Office, Department of Transportation, Department of Public Safety - Alcohol and Tobacco, Department of Public Safety - Capitol Police, Department of Public Safety - Fire Safety Division, Department of Public Safety - Highway Patrol, and Department of Public Safety - Missouri Veterans Commission** each assume this proposal will not have a fiscal impact on their respective organizations.

Officials at the **City of Columbia** and **City of Kansas City** each assume this proposal will not have a fiscal impact on their respective organizations.

Officials at the **St. Louis County** assume this proposal would have no impact on their organization.

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

Officials at the school districts of **Kansas City, Kearney R-I, Kirskville R-III, Pettis County R-XII, Special School District of St. Louis County, West Plains R-VII, and Wright City** each assume this proposal will not have a fiscal impact on their respective organizations.

Officials at the charter school of **Carondelete Leadership Academy** assume this proposal would have no impact on their organization.

Officials at the following cities: Ashland, Belton, Bernie, Bonne Terre, Boonville, California, Cape Girardeau, Clayton, Dardenne Prairie, Des Peres, Excelsior Springs, 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.

ASSUMPTION (continued)

Officials at the following counties: Andrew, Atchison, Audrain, Barry, Bollinger, Boone, Buchanan, Callaway, Camden, Cape Girardeau, 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, Missouri State University, Southeast Missouri State University, State Fair Community College, St. Charles Community College, St. Louis Community College, Three Rivers Community College, and the University of Central Missouri did not respond to **Oversight's** request for fiscal impact.

Officials at the following school districts: Arcadia Valley R-2, Aurora R-8, Avilla R-13, Bakersfield, Belton, Benton County R-2, Bismark R-5, Bloomfield R-14, Blue Springs, Bolivar R-I, Bowling Green R-1, Branson, Brentwood, Bronaugh R-7, Campbell R-2, Carrollton R-7, Caruthersville, Cassville R-4, Central R-III, Chilhowee R-4, Chillicothe R-II, Clarkton C-4, Cole R-I, Columbia, Concordia R-2, Crawford County R-1, Crocker R-II, Delta C-7, East Carter R-2, East Newton R-6, Eldon R-I, 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, Kirksville, 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, Malta Bend, Mehville, Mexico, Middle Grove C-1, 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, Parkway, 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, Seymour R-2, Shelby County R-4, Shell Knob #78, Sikeston, Silex, Slater, Smithville R-2, Spickard R-II, Springfield, St Joseph, St Louis, St. Charles, St. Elizabeth R-4, Sullivan, Tipton R-6, Valley R-6, Verona R-7, Warren County R-3, Warrensburg R-6, Webster Groves, and the Westview C-6 and the School District did not respond to **Oversight's** request for fiscal impact.

Officials at the following charter schools: Eagle College Prep, Frontier Schools, Hawthorn Leadership School for Girls, and the KIPP Endeavor Academy of Kansas City did not respond to **Oversight's** request for fiscal impact.

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

The proposed legislation appears to have no direct fiscal impact.

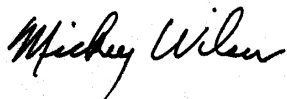
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of Administration - General Services
 Office of Administration - Personnel
 Department of Corrections
 Department of Health and Senior Services
 Department of Mental Health
 Department of Social Services
 Attorney General's Office
 Office of Administration - Budget and Planning
 Office of Administration - Administrative Hearing Commission
 State Auditor's Office
 Department of Conservation
 Department of Economic Development
 Missouri Ethics Commission
 Department of Public Safety - Gaming Commission
 Governor's Office, Lieutenant Governor's Office
 Department of Higher Education
 Department of Insurance, Financial Institutions and Professional Registration
 Joint Committee on Administrative Rules
 Joint Committee on Public Employment Retirement
 Department of Labor and Industrial Relations
 Lottery Commission

SOURCES OF INFORMATION (continued)

Missouri Consolidated Health Care Plan
State Highway Employees Retirement System
Department of Natural Resources
State Public Defender's Office
Office of Prosecution Services
Department of Revenue
Missouri Senate
Missouri House of Representatives
Office of Secretary of State
Missouri Tax Commission
State Treasurer's Office
Department of Transportation
Department of Public Safety - Alcohol and Tobacco
Department of Public Safety - Capitol Police
Department of Public Safety - Fire Safety Division
Department of Public Safety - Highway Patrol
Department of Public Safety - Missouri Veterans Commission
City of Columbia
City of Kansas City
St. Louis County
Metropolitan Community College
Missouri Western State University
Northwest Missouri State University
State Technical College of Missouri
Truman State University
University of Missouri
Kansas City
Kearney R-I
Kirskville R-III
Pettis County R-XII
Special School District of St. Louis County
West Plains R-VII
Wright City
Carondelete Leadership Academy



Mickey Wilson, CPA
Director

Ross Strope
Assistant Director

January 6, 2017

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