

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 6065-02  
Bill No.: HCS for HB 2284  
Subject: Higher Education; Department of Higher Education  
Type: Original  
Date: March 30, 2018

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Bill Summary: This proposal modifies the Campus Free Expression Act.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
<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 5 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
<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>			
<b>FUND AFFECTED</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
<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>			
<b>FUND AFFECTED</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

In response to a previous version, HB 2284 (LR 6065-01), officials from the **Department of Higher Education** assumed the proposal will have no fiscal impact on their organization.

Officials from the **Office of the State Courts Administrator** assume there may be some impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

Officials from 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 there is a significant increase in litigation.

Officials from **Missouri State University** assume this proposal will have no substantial fiscal impact for the university.

Officials from the **Missouri Western State University** and **State Technical College of Missouri** assume the proposal will have no fiscal impact on their organizations.

In response to a previous version, HB 2284 (LR 6065-01), officials from the **St. Charles Community College** assumed this proposal may require additional costs for the college depending on the number of events and the number of participants at the events. The costs are unknown at this time.

In response to a previous version, HB 2284 (LR 6065-01), officials from **Northwest Missouri State University** assumed there may be some initial legal fees and training costs for the university, but no other ongoing costs.

In response to a previous version, HB 2284 (LR 6065-01), officials from the **University of Central Missouri** assumed the proposal would have no fiscal impact on their organization.

**Oversight** assumes that should this proposal require a college or university to modify their existing policy it can be done with their current resources. Oversight assumes the colleges and universities will ensure their policies comply with statutes so no penalties would be awarded. Oversight assumes this proposal would not have a direct fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2019 (10 Mo.)	FY 2020	FY 2021
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2019 (10 Mo.)	FY 2020	FY 2021
	<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 modifies the Campus Free Expression Act. The bill requires the governing board of each public institution of higher education to adopt a policy on free expression by January 1, 2019. The free expression policy must be consistent with several principles of free speech specified in the bill. The free expression policy shall be made available to students and faculty annually.

The bill also requires institutions to adopt a "student-on-student harassment" policy defining the term no more expansively than unwelcome conduct that is discriminatory on a basis that is designated by the educational institutions or provided by law and that is so severe that it effectively bars the victim's equal access to resources and opportunities.

The bill shall not be interpreted as prohibiting an institution from imposing restrictions on expression that do not violate the United States Constitution or the Missouri Constitution.

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

Department of Higher Education  
Office of the State Courts Administrator  
Office of the Attorney General

SOURCES OF INFORMATION (continued)

Missouri State University  
St. Charles Community College  
University of Central Missouri  
Missouri Western State University  
State Technical College of Missouri  
Northwest Missouri State University

Ross Strope

A handwritten signature in black ink, appearing to read "Ross Strope", with a stylized flourish at the end.

Acting Director  
March 30, 2018