

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3281-01
Bill No.: HB 1483
Subject: Department of Elementary and Secondary Education; Crimes and Punishment
Type: Original
Date: February 7, 2020

Bill Summary: This proposal requires adult students to undergo background checks before attending certain classes in public schools.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
Criminal Record System Fund (0671)	\$2,200	\$2,200	\$2,200
Total Estimated Net Effect on <u>Other</u> State Funds	\$2,200	\$2,200	\$2,200

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
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 2021	FY 2022	FY 2023
Local Government	(\$4,175)	(\$4,175)	(\$4,175)

FISCAL ANALYSIS

ASSUMPTION

Department of Elementary and Secondary Education (DESE) officials assume this proposal would have no fiscal impact on their organization.

Department of Public Safety - Missouri State Highway Patrol (MHP) officials stated:

The Department of Elementary and Secondary Education anticipates that this legislation would impact a relatively low number of individuals totaling approximately 100 applicants per year equaling \$2,200 deposited in the Criminal Record System Fund annually.

100 applicants x \$22.00 = \$2,200 deposited in the Criminal Record System Fund annually.

The cost for a state and federal fingerprint based criminal record check is **\$33.25**, per request. The state portion of the record check fee is \$20.00 and the federal portion is \$13.25. If the submitting agency chooses to utilize the state fingerprint services vendor, then an additional \$8.50 is charged by the vendor for this service. Thus, the fee breakdown per request is as follows:

State Fee: \$20.00

Federal Fee: \$13.25

Total (state and federal Fee) \$33.25

Total (state, federal and vendor fee): \$41.75

The total amount retained in the Criminal Record System Fund after paying the FBI is \$22.00 per request. This equals \$20.00 for the state fee, pursuant to Section 43.530, and \$2.00 of the federal fee, pursuant to 28 CFR 20.31(e) (2) and the current fee schedule as posted in the Federal Register.

Oversight adopts MHP's estimates in this fiscal note.

In response to a similar previous proposal, HB 836 (2019), **Springfield Public School** officials assumed this proposal would cost \$5,000 for process management.

In response to a similar previous proposal, HB 836 (2019), **Francis Howell School District** officials assumed this proposal does not have any program in which an adult student, as defined in the proposed legislation, attends classes with "regular" K-12 students.

ASSUMPTION (continued)

Oversight notes if school districts must perform background checks on adult students not counted for purposes of average daily attendance, the Criminal Record System Fund (0671) income would increase \$2,200 (using the estimate given by the MHP) and school districts cost would increase \$4,175 (100 x \$41.75).

<u>FISCAL IMPACT - State Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023
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**CRIMINAL RECORD SYSTEM
 FUND GENERAL REVENUE**

Revenue - from background checks on
 adult students not counted towards
 average daily attendance

	<u>\$2,200</u>	<u>\$2,200</u>	<u>\$2,200</u>
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**ESTIMATED NET EFFECT ON
 CRIMINAL RECORD SYSTEM
 FUND**

	<u>\$2,200</u>	<u>\$2,200</u>	<u>\$2,200</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023
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SCHOOL DISTRICT FUNDS

Cost - for background checks on adult
 students not counted towards average
 daily attendance

	<u>(\$4,175)</u>	<u>(\$4,175)</u>	<u>(\$4,175)</u>
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**ESTIMATED NET EFFECT ON
 SCHOOL DISTRICT FUNDS**

	<u>(\$4,175)</u>	<u>(\$4,175)</u>	<u>(\$4,175)</u>
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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

This bill requires criminal background checks to be conducted on any person who is 18 years of age or older, who is not counted by the district for purposes of average daily attendance, and who requests enrollment in a course that takes place on school property during regular school hours.

The background check shall be conducted before the person enrolls in any such course, and a guilty plea or verdict for any crime or offense under Section 168.071, RSMo, shall prohibit enrollment as outlined in the bill.

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 Elementary and Secondary Education
Department of Public Safety - Missouri State Highway Patrol
Springfield Public Schools
Francis Howell School District



Julie Morff
Director
February 7, 2020



Ross Strobe
Assistant Director
February 7, 2020