

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0305H.03P
Bill No.: Perfected HCS for HB 27
Subject: Sunshine Law; Internet and E-Mail
Type: Original
Date: April 14, 2021

Bill Summary: This proposal modifies requirements for meeting notices and minutes of open meetings.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
General Revenue	(\$56,846)	(\$59,221)	(\$59,694)
Total Estimated Net Effect on General Revenue	(\$56,846)	(\$59,221)	(\$59,694)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
General Revenue	1 FTE	1 FTE	1 FTE
Total Estimated Net Effect on FTE	1 FTE	1 FTE	1 FTE

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Local Government	(Unknown, could exceed \$6,100)	(Unknown, could exceed \$6,100)	(Unknown, could exceed \$6,100)

FISCAL ANALYSIS

ASSUMPTION

§§610.020, 610.027 & 610.040 – Meeting notices and Minutes of Open Meetings

Officials from the **Office of Administration (OA)** assume this proposal requires meeting notices and minutes of open meetings to be posted on the public governmental body's website and social media pages. It also requires any public governmental body to post any proposed rules, ordinances, laws or regulations to a website and social media pages within 3 days after the meeting in which they are proposed. Similarly, the final text of any rule, ordinance, law or regulation which is adopted must be posted to the public governmental body's website and social media pages within 3 days of adoption. OA estimates that 1 FTE Administrative Support Staff would be needed to ensure that OA remains in compliance with the specified requirements and timeframes. OA assumes the FTE would have the following costs: FY 2022 \$56,846, FY 2023 \$59,221 and FY 2024 \$59,694.

Oversight does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by the OA.

Officials from the **City of Kansas City** assume this proposal may have a negative fiscal impact on Kansas City because of the administrative costs (staff time) of being required to post all minutes on the City website and to post all ordinances on the website within 3 days. This legislation may also have a negative fiscal impact on Kansas City due to the civil penalty in §610.027.

Officials from the **City of Springfield** anticipate an unknown negative fiscal impact due to needing additional web space to post the minutes of the numerous boards, commissions, and committees of the City as well as the city council.

In response to a previous version, officials from the **Kansas City Board of Elections** assumed a cost of \$2,500 annually to make changes to the website and social media account from this proposal.

In response to a previous version, officials from the **Florissant Valley Fire Protection District** stated this proposal would not have a significant fiscal impact. However, posting on social media of minutes and other actions is concerning since once the information is posted, they have no control over what or how that information is protected or stored.

In response to a previous version, officials from the **City Utilities of Springfield** assumed additional requirements for posting would incur expenses of around \$300 per month from this proposal.

Oversight assumes some local political subdivisions could be impacted from the provisions of this proposal through additional staffing duties and/or website and social media changes. Therefore, Oversight will reflect the cost estimated for the local government which have responded as an unknown negative that could exceed that estimate.

Officials from the **Department of Health and Senior Services** state Sections 610.020 and 610.021 require governmental bodies to post notices of meetings, proposed rules, ordinances, laws, or regulations to the governmental body's website and social media pages.

Posting notices on the department's website and social media pages are within the normal duties for the Department of Health and Senior Services so minimal time and expense will be required to conduct the requirements of the proposed legislation. The department anticipates being able to absorb these costs; however, until the FY22 budget is final, the department cannot identify specific funding sources.

Officials from the **Attorney General's Office**, the **Office of Administration - Administrative Hearing Commission**, the **Office of Administration - Budget and Planning**, the **Department of Commerce and Insurance**, the **Department of Elementary and Secondary Education**, the **Department of Higher Education and Workforce Development**, the **Department of Mental Health**, the **Department of Natural Resources**, the **Department of Corrections**, the **Department of Labor and Industrial Relations**, the **Department of Revenue**, the **Department of Public Safety's Division of Alcohol and Tobacco Control**, **Capitol Police**, **Fire Safety**, **Office of the Director**, **Missouri Gaming Commission**, **Missouri National Guard**, **Missouri Highway Patrol**, the **Missouri Veterans Commission** and the **State Emergency Management Agency**, the **Department of Social Services**, the **Missouri Department of Agriculture**, the **Missouri Department of Conservation**, the **Missouri Ethics Commission**, the **Missouri Department of Transportation**, the **MoDOT & Patrol Employees' Retirement System**, the **Petroleum Storage Tank Insurance Fund**, the **Office of the State Public Defender**, the **Office of the Governor**, the **Office of the State Auditor**, the **Missouri House of Representatives**, the **Missouri Senate**, the **Joint Committee on Education**, the **Joint Committee on Public Employee Retirement**, **Legislative Research**, **Legislative Research Oversight Division**, the **Economic & Policy Analysis Research Center**, the **Missouri Lottery**, the **Missouri Consolidated Health Care Plan**, the **Missouri Higher Education Loan Authority**, the **Missouri Office of Prosecution Services**, the **Office of the Secretary of State**, the **Joint Committee on Administrative Rules**, the **Missouri State Employee's Retirement System**, the **Office of the State Courts Administrator** and the **State Tax Commission** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

In response to a previous version, officials from the **Department of Economic Development**, the **University of Missouri System** and the **Office of the State Treasurer** each assumed the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have

any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Officials from the **City of Claycomo**, the **City of Corder**, **St. Louis City**, the **Platte County Board of Elections**, the **St. Louis County Board of Elections**, the **Kansas City Police Department**, the **St. Joseph Police Department**, the **St. Louis County Police Department**, the **Crawford County 911 Board**, the **Nodaway County Ambulance District**, the **Lexington Water/Wastewater**, the **Little Blue Valley Sewer District**, the **Metropolitan St. Louis Sewer District**, the **South River Drainage District**, the **Corder Water/Wastewater Department**, the **Macon County PWSD #1**, the **Schell City Water Department**, the **Hermann Area Hospital District**, **Missouri State University**, **Southeast Missouri State University**, the **State Technical College of Missouri** and the **University of Central Missouri** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

In response to a previous version, officials from the **City of Ballwin**, the **City of Bland**, the **City of O'Fallon**, the **Jackson County Board of Elections**, the **Boone County Sheriff's Department**, the **Crestwood Police Department**, the **Ellisville Police Department**, the **Fruitland Area Fire Protection District**, the **Wentzville Fire Protection District**, the **Cole Camp Ambulance District**, the **High Point R-III School District**, the **Shell Knob 78 School District**, the **Cass County PWSD #2**, the **Glasgow Village Street Light District**, the **Hancock Street Light District**, the **High Point Elementary School**, the **Howard County C-PWSD #1**, the **Jefferson County PWSD #7**, the **Platte County PWSD #6**, the **Union Star Water/Wastewater**, the **Wayne County PWSD #2**, the **Bland Water Department** and the **St. Charles County PWSD #2** each assumed the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

<u>FISCAL IMPACT – State Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
GENERAL REVENUE FUND			
Costs – OA			
Personal Service	(\$29,167)	(\$35,350)	(\$35,704)
Fringe Benefits	(\$19,794)	(\$23,871)	(\$23,990)
Equipment & Expense	(\$7,885)	\$0	\$0
Total Costs – OA	(\$56,846)	(\$59,221)	(\$59,694)
FTE Change – OA	1 FTE	1 FTE	1 FTE
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>(\$56,846)</u>	<u>(\$59,221)</u>	<u>(\$59,694)</u>
Estimated Net FTE Change for General Revenue	1 FTE	1 FTE	1 FTE

<u>FISCAL IMPACT – Local Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
LOCAL POLITICAL SUBDIVISIONS			
Cost – additional staffing duties or website changes to implement provisions of this proposal	(Unknown, could exceed \$6,100)	(Unknown, could exceed \$6,100)	(Unknown, could exceed \$6,100)
ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	<u>(Unknown, could exceed \$6,100)</u>	<u>(Unknown, could exceed \$6,100)</u>	<u>(Unknown, could exceed \$6,100)</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 requires posting notice, required under Section 610.020, RSMo, of the Open Records Law commonly known as the Sunshine Law, of meeting times, dates, places, and agendas as well as minutes of open meetings on a public governmental body's website and social media pages.

In addition, public governmental bodies must post proposed and adopted rules, ordinances, laws, or regulations on their website and social media pages within 3 days after the meeting at which they are proposed or adopted exclusive of weekends and holidays.

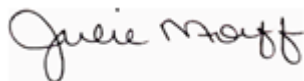
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

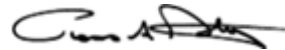
Office of Administration
City of Kansas City
City of Springfield
Kansas City Board of Elections
Florissant Valley Fire Protection District
Metropolitan St. Louis Sewer District
City Utilities of Springfield
Department of Health and Senior Services
Missouri Senate
Attorney General's Office
Office of Administration
Department of Commerce and Insurance
Department of Economic Development
Department of Elementary and Secondary Education
Department of Higher Education and Workforce Development
Department of Mental Health
Department of Natural Resources
Department of Corrections
Department of Labor and Industrial Relations
Department of Revenue
Department of Public Safety
Department of Social Services
Missouri Department of Agriculture

Missouri Department of Conservation
Missouri Ethics Commission
Missouri Department of Transportation
MoDOT & Patrol Employees' Retirement System
Petroleum Storage Tank Insurance Fund
Office of the State Public Defender
University of Missouri System
Office of the Governor
Office of the State Auditor
Office of the State Treasurer
Missouri House of Representatives
Joint Committee on Administrative Rules
Joint Committee on Education
Joint Committee on Public Employee Retirement
Legislative Research
Oversight Division
Economic & Policy Analysis Research Center
Missouri Lottery
Missouri Consolidated Health Care Plan
Missouri Higher Education Loan Authority
Missouri Office of Prosecution Services
Missouri State Employee's Retirement System
Office of the State Courts Administrator
State Tax Commission
City of Ballwin
City of Bland
City of Corder
City of O'Fallon
St. Louis City
Jackson County Board of Elections
Platte County Board of Elections
St. Louis County Board of Elections
Boone County Sheriff's Department
Crestwood Police Department
Ellisville Police Department
Kansas City Police Department
St. Louis County Police Department
Wentzville Fire Protection District
Crawford County 911 Board
High Point R-III School District
Shell Knob 78 School District
Cass County PWSD #2
Glasgow Village Street Light District
Hancock Street Light District

High Point Elementary School
Howard County C-PWSD #1
Jefferson County PWSD #7
Lexington Water/Wastewater
Little Blue Valley Sewer District
Platte County PWSD #6
South River Drainage District
Union Star Water/Wastewater
Wayne County PWSD #2
Hermann Area Hospital District
Missouri State University
State Technical College of Missouri
University of Central Missouri
Missouri Veterans Commission
Office of the Secretary of State
Bland Water Department
Corder Water/Wastewater Department
Schell City Water Department
St. Charles County PWSD #2
Cole Camp Ambulance District
City of Claycomo
St. Joseph Police Department
Fruitland Area Fire Protection District
Southeast Missouri State University
Nodaway County Ambulance District
Metropolitan St. Louis Sewer District
Macon County PWSD #1



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