

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3426-02  
Bill No.: SB 1010  
Subject: Attorney General, State; Public Officers; State Departments; Employees -  
Employers; State Employees  
Type: Original  
Date: February 27, 2004

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
General Revenue	(Unknown)	(Unknown)	(Unknown)
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>(Unknown)</b>	<b>(Unknown)</b>	<b>(Unknown)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Highway Fund	(Unknown)	(Unknown)	(Unknown)
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>(Unknown)</b>	<b>(Unknown)</b>	<b>(Unknown)</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

### FISCAL ANALYSIS

#### ASSUMPTION

Officials with the **Secretary of State's Office** assume no fiscal impact to their agency.

Officials with the **Department of Labor and Industrial Relations** assume this proposal expands the state's Whistleblower Law to include "whistleblowing" to the attorney general and any state official or body charged with investigating alleged misconduct. The proposal also authorizes civil actions in addition to previously administrative appeals. There is no fiscal impact to this agency.

Officials with the **Office of Administration - Personnel** assume this proposal may increase costs to the Personnel Advisory Board because it expands the people/entities to whom a state employee may make a report. The additional number of appeals that may result for this expansion of jurisdiction is unknown. The Personnel Advisory Board does not receive many whistleblower appeals, but those it does hear (3 or 4 a year) are generally lengthy.

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

ASSUMPTION (continued)

Officials with the **Department of Transportation** assume this proposal will have a fiscal impact on their agency. Since the potential number of court cases cannot be predicted nor their locations, the fiscal impact is unknown.

<u>FISCAL IMPACT - State Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
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**GENERAL REVENUE**

<u>Cost - Office of Administration - Personnel</u>	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b><u>(Unknown)</u></b>	<b><u>(Unknown)</u></b>	<b><u>(Unknown)</u></b>
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**HIGHWAY FUND**

<u>Cost - Department of Transportation</u>	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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<b>ESTIMATED NET EFFECT ON HIGHWAY FUND</b>	<b><u>(Unknown)</u></b>	<b><u>(Unknown)</u></b>	<b><u>(Unknown)</u></b>
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<u>FISCAL IMPACT - Local Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	<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.

DESCRIPTION

This act adds the attorney general and any state official or body charged with investigating such alleged misconduct to those individuals a state employee may discuss the operations of an agency without discipline being brought against them. Further, the act establishes a civil cause of action

DESCRIPTION (continued)

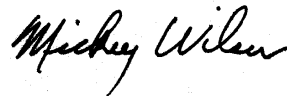
for violations of Section 105.055, RSMo. The new cause of action would allow for actual damages, litigation expenses and reasonable attorney fees to be imposed.

The act adds harassment to those actions which are prohibited from occurring to an employee who reports a violation of Sections 610.010 to 610.030, RSMo.

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 Labor and Industrial Relations  
Attorney General's Office  
Office of Administration - Personnel  
Secretary of State's Office

A handwritten signature in black ink, appearing to read "Mickey Wilson".

Mickey Wilson, CPA  
Director  
February 27, 2004