

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3765-01
Bill No.: SB 610
Subject: Employees- Employers
Type: Original
Date: February 9, 2010

Bill Summary: Bars employers from requiring employees to disclose user names or passwords.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 7 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on FTE	0	0	0

Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials at the **Department of Agriculture, Department of Elementary and Secondary Education, Department of Corrections, Gaming Commission, Department of Public Safety's Alcohol & Tobacco Control, Capitol Police, Fire Safety, Water Patrol, Springfield Police Department, St. Louis Public School Retirement System, Boone County Sheriff Department, Joint Committee on Administrative Rules, Office of the State Courts Administrator, Administrative Hearing Commission, Office of the State Treasurer, Office of the Lt. Governor, Missouri Consolidated Health Care Plan, Office of the State Auditor, Cass County, Special School District, County Employees' Retirement System, City of Centralia, Sheriffs' Retirement System, Budget and Planning, Linn State Technical College, Local Government Employees Retirement System, MoDOT and Patrol Employees' Retirement System, St. Louis Community College, Missouri House of Representatives, Department of Health and Senior Services, State Tax Commission, Lincoln University, Department of Higher Education, University of Missouri, Missouri Veterans Commission, Missouri Southern State University, Missouri Western State University, Department of Economic Development, Department of Revenue, Missouri Department of Transportation, Missouri Department of Conservation, Office of Administration, Missouri Highway Patrol, State Emergency Management Agency, University of Central Missouri, Department of Mental Health, Public School and Education Employee Retirement Systems of Missouri, St. Louis County, Prosecutors and Circuit Attorney's Retirement Systems, Department of Insurance, Financial Institutions and Professional Registration, Parkway School District, Department of Labor and Industrial Relations, Missouri Senate, Department of Social Services, Missouri Ethics Commission, Office of the Governor, Truman State University, Independence School District, Department of Natural Resources and the Office of Prosecution Services** assume that there is no fiscal impact from this proposal.

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

Officials at the **Missouri State University** assume costs associated with keeping supervisors informed of the limits imposed by this law as well as costs if any harm is to the employer because of the limits. The costs are unknown.

For the purpose of this proposed legislation, officials at the **Office of State Public Defender (SPD)** cannot assume that existing staff will provide competent, effective representation for any new cases arising where indigent persons are charged with the proposed new crime of requiring

ASSUMPTION (continued)

an employee or an applicant for employment to disclose their user names or passwords. This action would become a new class A misdemeanor.

Passage of bills increasing penalties on existing crimes, or creating new crimes, requires the State Public Defender System to further extend resources. While the number of new cases (or cases with increased penalties) may be too few or uncertain to request additional funding for this specific bill, the SPD will continue to request sufficient appropriations to provide competent and effective representation in all its cases.

Oversight assumes the SPD can absorb the additional caseload that may result from this proposal.

Officials from the **Office of the Secretary of State (SOS)** state many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with the core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process.

Oversight assumes any potential costs arising from this proposal can be absorbed with existing resources.

<u>FISCAL IMPACT - State Government</u>	FY 2011 (10 Mo.)	FY 2012	FY 2013
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2011 (10 Mo.)	FY 2012	FY 2013
	<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

The proposed legislation appears to have no 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

Administrative Hearing Commission
Department of Agriculture
Department of Corrections
Department of Elementary and Secondary Education
Department of Insurance, Financial Institutions and Professional Registration
Department of Labor and Industrial Relations
Department of Mental Health
Department of Natural Resources
Department of Social Services
Department of Public Safety
 Alcohol & Tobacco Control
 Capitol Police
 Fire Safety
 State Emergency Management Agency
 Water Patrol
Gaming Commission
Joint Committee on Administrative Rules
Missouri Consolidated Health Care Plan
Missouri Ethics Commission
Missouri Senate
Office of Administration

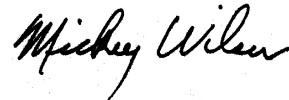
SOURCES OF INFORMATION (continued)

Office of the Governor
Office of Prosecution Services
Office of the State Courts Administrator
Office of the State Treasurer
Office of the Lt. Governor
Office of the State Auditor
Budget and Planning
Office of the State Public Defender
Missouri House of Representatives
State Tax Commission
Department of Health and Senior Services
Department of Higher Education
Missouri Veterans Commission
Department of Economic Development
Office of the Attorney General
Office of the Secretary of State
Department of Revenue
Missouri Highway Patrol
Missouri Department of Transportation
Missouri Department of Conservation
County Employees' Retirement System
Local Government Employees Retirement System
MoDOT and Patrol Employees' Retirement System
Prosecutors and Circuit Attorney's Retirement Systems
Public School and Education Employee Retirement Systems of Missouri
Sheriffs Retirement System
St. Louis Public School Retirement System
Cass County
St. Louis County
City of Centralia
Independence School District
Parkway School District
Special School District
Boone County Sheriff Department
Springfield Police Department
Lincoln University
Linn State Technical College
Missouri State University

JH:LR:OD

SOURCES OF INFORMATION (continued)

Missouri Southern State University
Missouri Western State University
St. Louis Community College
Truman State University
University of Central Missouri
University of Missouri



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Director
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