

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3876-01
Bill No.: SJR 50
Subject: Athletics; Children and minors; Constitutional amendments; Entertainment,
Sports and Amusements
Type: Original
Date: February 24, 2020

Bill Summary: This proposal requires students participating in any single-gender event or activity organized by a statewide activity association to participate in the event corresponding to the student's biological sex.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
General Revenue	\$0 or (More than \$7,800,000)	\$0	\$0
Total Estimated Net Effect on General Revenue	\$0 or (More than \$7,800,000)	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

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	\$0*	\$0	\$0

*Potential costs and state reimbursements net to zero in FY 2021 if a special election is called.

FISCAL ANALYSIS

ASSUMPTION

In response to other similar SJR proposals, officials from the **Missouri Secretary of State's Office (SOS)** assumed each year there are a number of joint resolutions that may be considered by the General Assembly that would refer to a vote of the people a constitutional amendment and bills that would refer to a vote of the people the statutory issues in the legislation.

Unless a special election is called for the purpose, Joint Resolutions proposing a constitutional amendment are submitted to a vote of the people at the next general election. Article XII, Section 2(b) of the Missouri Constitution authorizes the Governor to order a special election for constitutional amendments referred to the people. If a special election is called to submit a Joint Resolution to a vote of the people, Section 115.063.2, RSMo requires the state to pay for the costs. The cost of a special election has been estimated to be \$7.8 million based on the cost of the 2016 Presidential Preference Primary.

SOS is required to pay for publishing in local newspapers the full text of each statewide ballot measure as directed by Article XII, Section 2(b) of the Missouri Constitution and Section 116.230-116.290, RSMo. Funding for this item is adjusted each year depending upon the election cycle. A new decision item is requested in odd numbered fiscal years and the amount requested is dependent upon the estimated number of ballot measures that will be approved by the General Assembly and the initiative petitions certified for the ballot. In Fiscal Year 2014, the General Assembly changed the appropriations so that it was no longer an estimated appropriation.

In Fiscal Year 2019, over \$5.8 million was spent to publish the full text of the measures for the August and November elections. SOS estimates \$65,000 per page for the costs of publications based on the actual cost incurred for the one referendum that was on the August 2018 ballot.

SOS will continue to assume, for the purposes of this fiscal note, that it should have the full appropriation authority it needs to meet the publishing requirements. As these requirements are mandatory, SOS reserves the right to request funding to meet the cost of the publishing requirements if the Governor and the General Assembly again change the amount or continue to not designate it as an estimated appropriation.

Oversight has reflected in this fiscal note, the state potentially reimbursing local political subdivisions the cost of having this joint resolution voted on during a special election in fiscal year 2021. This reflects the decision made by the Joint Committee on Legislative Research, that the cost of the elections should be shown in the fiscal note. The next scheduled statewide

ASSUMPTION (continued)

primary election is in August 2020 and the next scheduled general election is in November 2020 (FY 2021 for both). It is assumed the subject within this proposal could be on one of these ballots; however, it could also be on a special election called for by the Governor (on a different date). Therefore, Oversight will reflect a potential election cost reimbursement to local political subdivisions in FY 2021.

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

Transfer Out - Reimbursement of cost to local election authorities **if** a special election is called for by the Governor

\$0 or <u>(\$7,800,000)</u>	<u>\$0</u>	<u>\$0</u>
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**ESTIMATED NET EFFECT ON
GENERAL REVENUE**

<u>\$0 or (\$7,800,000)</u>	<u>\$0</u>	<u>\$0</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023
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LOCAL ELECTION AUTHORITIES

Transfer In - Reimbursement to local election authorities for cost of special election **if** called for by the Governor

\$0 or \$7,800,000	\$0	\$0
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Cost - Cost to local election authorities for special election **if** called for by the Governor

\$0 or <u>(\$7,800,000)</u>	<u>\$0</u>	<u>\$0</u>
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**ESTIMATED NET EFFECT ON
LOCAL ELECTION AUTHORITIES**

<u>\$0</u>	<u>\$0</u>	<u>\$0</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 proposed constitutional amendment would require students participating in any single-gender event or activity organized by a statewide activity association to participate in the event corresponding to the student's biological sex.

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

Missouri Secretary of State's Office



Julie Morff
Director
February 24, 2020



Ross Strobe
Assistant Director
February 24, 2020