

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 2098-01  
Bill No.: SB 550  
Subject: American with Disabilities Act  
Type: Original  
Date: March 12, 2001

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None	\$0	\$0	\$0
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None	\$0	\$0	\$0
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 3 pages.

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Office of Administration - Division of Personnel** and the **Department of Labor and Industrial Relations** assume the proposed legislation would have no fiscal impact on their agency.

Officials from the **Department of Transportation** assume any additional workload related to cases of employees disputing 'reasonable accommodations' or other issues of the Americans with Disabilities Act will be absorbed by current staff and appropriations.

Officials from the **Office of State Courts Administrator** (CTS) assume the proposed legislation would waive the state's sovereign immunity and permit suits against the state under the federal Americans with Disabilities Act.

CTS officials also assume that suits would be filed in federal court, as was the case prior to the recent U.S. Supreme Court decision. If so, there should be no appreciable increase in state court filings, and therefore the impact on the budget of the judiciary should be negligible. CTS officials noted that they are not able to comment on any increase in federal civil liability the state may expose itself to as a result of this proposal.

Officials from the **Department of Conservation** (MDC) assume the proposed legislation could have fiscal impact on MDC funds because of the increased exposure to lawsuits. However, officials noted that the amount of fiscal impact is unknown.

**Oversight** assumes that prior to the recent U.S. Supreme Court decision, cases could be filed in state court. Oversight assumes that this proposal merely allows such cases to be filed in state court. Therefore, Oversight assumes the fiscal impact of this proposal is \$0.

<u>FISCAL IMPACT - State Government</u>	FY 2002	FY 2003	FY 2004
	\$0	\$0	\$0
<u>FISCAL IMPACT - Local Government</u>	FY 2002	FY 2003	FY 2004
	\$0	\$0	\$0

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This bill allows the state of Missouri to be subject to lawsuits for monetary damages in Missouri state courts for violations of the federal Americans with Disabilities Act.

This bill contains an emergency clause.

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 Conservation  
Department of Labor and Industrial Relations  
Department of Transportation  
Office of Administration - Division of Personnel  
Office of State Courts Administrator

**NOT RESPONDING:** Office of Attorney General

A handwritten signature in black ink, appearing to read "Jeanne Jarrett", with a stylized, cursive script.

Jeanne Jarrett, CPA  
Director

March 12, 2001