

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4286-01
Bill No.: HB 1941
Subject: Education, Elementary and Secondary
Type: Original
Date: March 21, 2002

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
School Districts	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Elementary and Secondary Education** and the **Office of State Courts Administrator** stated that this proposed legislation would have no fiscal impact on their agencies.

Officials from the **Department of Social Services - Division of Youth Services (DOS-DYS)** state that under current statute, youth who have committed forcible sodomy or forcible rape are prohibited from returning to a program of regular instruction. Passage of this legislation would add youth who have committed statutory rape, sexual assault, statutory sodomy, child molestation, deviate sexual assault, sexual misconduct, or promoting prostitution, or is a persistent prostitution offender to the list of those who are not able to return to a program of regular instruction. DOS-DYS estimates an additional 50 to 55 youth may be annually affected by the more restrictive rule, but believe many of these youth are already being service in alternative education programs offered by either the public schools or DYS. No fiscal impact is anticipated because it is assumed the DYS youth affected by this proposed legislation are already being barred by the public schools from returning to the regular education programs.

In response to identical legislation from this session (SB 936), the **Department of Corrections** and the **Department of Health and Senior Services** stated that this proposed legislation would have no fiscal impact on their agencies.

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
	<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

LMD:LR:OD (12/01)

Current law requires that a pupil who has been convicted of, or who is alleged under specified circumstances to have committed, certain acts must not be readmitted to school. This proposed legislation replaces forcible rape and forcible sodomy in the list of acts which preclude readmission with a reference to any felony offense established under the statute chapters relating to sexual offenses or prostitution.

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 Elementary and Secondary Education
Department of Social Services
Division of Youth Services
Office of State Courts Administrator
Department of Corrections
Department of Health and Senior Services



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Acting Director
March 21, 2002