

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3083-01
Bill No.: SB 626
Subject: Civil Rights; Courts
Type: Original
Date: January 5, 2010

Bill Summary: The proposal prohibits discrimination based upon a person's sexual orientation.

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 5 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 from the **Office of the Attorney General (AGO)** assume, if passed, this proposal will enable new cases of alleged discrimination based on sexual orientation to come before the Human Rights Commission. As a result, the AGO anticipates additional work in representing the Commission. At this time, it is unknown how many new claims will be filed by individuals alleging discrimination based on sexual orientation. AGO assumes that the number of claims in the first few years will be less than 10 and that the AGO can absorb the costs of representing the Commission in its review of these claims. However, if there is a significant increase in claims over time, the AGO may seek additional appropriations to adequately represent the Human Rights Commission in handling these claims.

Officials from the **Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on the courts.

Officials from the **Department of Labor and Industrial Relations – Missouri Commission on Human Rights (MCHR)** assume they cannot predict the number of cases the proposal would add to the MCHR's caseload. The MCHR estimates, based on information received from four states which cover sexual orientation, the percentage of cases filed is 2.4%.

The MCHR received 2,023 complaints in FY 09. Assuming a 2.4% increase due to adding sexual orientation as a protected category, this would add 48 new complaints. The MCHR estimates the need for .50 FTE Human Relations Officer I (\$40,968 per year) to absorb the additional workload. Each Human Relations Investigator is required to investigate a minimum of 96 cases a year and most average 96 cases per year. Therefore, 48 divided by 96 additional cases equals .50 FTE. MCHR estimates the salary plus fringe benefits to be \$26,802 in fiscal year 2011, \$33,127 in fiscal year 2012, and \$34,121 in fiscal year 2013.

Oversight assumes the Department of Labor and Industrial Relations – Missouri Commission on Human Rights (MCHR) could absorb any increase in complaints within existing resources. However, if the number of cases increases significantly, MCHR could request additional funding through the budgetary process.

ASSUMPTION (continued)

Officials from the **Office of the Secretary of State (SOS)** assume 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 proposal for Administrative Rules is less than \$2,500. The SOS recognizes this is a small amount and does not expect additional funding would be required to meet these costs. However, SOS also recognizes that many such bills may be passed in a given year and that collectively the costs may be in excess of what the SOS can sustain with their core budget. Any additional required funding would be handled through the budget process.

<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.

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SOURCES OF INFORMATION

Office of the Attorney General
Office of State Courts Administrator
Department of Labor and Industrial Relations
Office of the Secretary of State

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive style with a large initial "M".

Mickey Wilson, CPA
Director
January 5, 2010