

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0275-01
Bill No.: SB 239
Subject: Civil Rights; Courts
Type: Original
Date: March 24, 2011

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

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
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 2012	FY 2013	FY 2014
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
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 2012	FY 2013	FY 2014
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 **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 \$26,004 in fiscal year 2012, \$31,518 in fiscal year 2013, and \$31,833 in fiscal year 2014.

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.

Officials from the **Office of Administration - Personnel Division (OA)** state if passed, they may need to advise agencies and political subdivisions of the newly established statutes.

Oversight assumes OA would be able to absorb any additional work related to this proposal within existing appropriations.

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.

Officials from **Department of Insurance, Financial Institutions and Professional Registration** and the **Office of the State Courts Administrator** each assume the proposal would not fiscally impact their respective agencies.

<u>FISCAL IMPACT - State Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
	<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

Department of Labor and Industrial Relations
Office of the Attorney General
Office of the State Courts Administrator
Office of the Secretary of State
Department of Insurance, Financial Institutions and Professional Registration
Office of Administration



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