COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4252-04
Bill No.: Perfected SCS for SB Nos. 484, 477, & 606
Subject: State Attorney General; Elections; Ethics; Political Parties; Telecommunications
Type: Original
Date: February 22, 2012

Bill Summary: This proposal modifies the state do-not-call list and creates "paid for by" requirements for political phone calls.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Total Estimated Net Effect on General Revenue Fund	**$0**	**$0**	**$0**

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Total Estimated Net Effect on Other 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 2013	FY 2014	FY 2015
Total Estimated Net Effect on All Federal Funds	**$0**	**$0**	**$0**

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
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 2013	FY 2014	FY 2015
Local Government	**$0**	**$0**	**$0**

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Attorney General's Office (AGO)** assume that any potential costs arising from this proposal could be absorbed with existing resources. The AGO may seek additional appropriations if there is a significant increase in enforcement activity.

Officials at the **Missouri Ethics Commission** (**MEC**) assume requiring the proper identification of a sponsor for a political solicitation, radio advertisements, and requiring the registration with the MEC of any committee making solicitations under this provision would require the following of the MEC:

- Provide information to public officials and the public as specified in the Commission duties in Section 105.491, 105.955.14 (4), RSMo., about the new statutory requirements; examples include providing education, developing informational materials, telephone and email assistance. It is anticipated the Commission can conduct these duties with current resources.

- It is not clear if the Commission's statutory requirements to review, and audit as established in Section 105.955.14 (2), (3), RSMo. apply; the Commission's assumption for purposes of this fiscal note, is they do not apply. However, additional resources, at a minimum one additional Business Analyst would be required, should these requirements apply to the Commission.

- Respond to written complaints, as established in Section 105.955.14, RSMo., through conducting investigations and the related legal actions. Based off the number of final Commission actions taken related to the current campaign finance material identification requirements, the Commission anticipates potentially a significant increase in complaints received and investigations conducted related to these "paid for by" provisions.

MEC assumes the need for one FTE Commission Investigator could be needed to perform the necessary investigative work and assist legal preparation. The current MEC investigative resources would not allow for conducting any substantial increase in complaints. The Commission would anticipate that changes or additions to the proposed language set forth in this bill may require additional associated costs for FTE, equipment, and expenses.

Oversight assumes that it is unclear if the proposed changes would increase or decrease the amount of complaints filed with MEC. Oversight assumes MEC should be able to absorb the

ASSUMPTION (continued)

cost of this proposal. If MEC experiences a measurable increase in its workload as a direct result of this proposal then it can request additional FTE in future budget requests.

Officials from the **Office of the Secretary of State (SOS)** state 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 fiscal note to the SOS for Administrative Rules is less than $2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with the core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

SOS also state Section 407.1112 would require any entity that spends more than $500 to make automated calls for the purpose of political solicitation to register with the secretary of state. This registration process is not defined and could require programming and further staffing. Additional costs could result up to $10,000 for 1 technical resource paid $100 dollars per hour for 100 hours for the implementation of a database to store registry data.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Oversight also assumes SOS could absorb the cost of registration of political solicitations costing more than $500.

Oversight assumes Senate Amendment 1 would not have a fiscal impact to state government.

FISCAL IMPACT - State Government	FY 2013 (10 Mo.)	FY 2014	FY 2015
	$0	**$0**	**$0**

FISCAL IMPACT - Local Government	FY 2013 (10 Mo.)	FY 2014	FY 2015
	$0	**$0**	**$0**

FISCAL IMPACT - Small Business

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

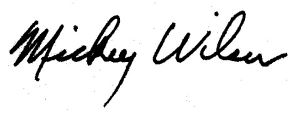
FISCAL DESCRIPTION

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

Attorney General's Office
Missouri Ethics Commission
Office of the Secretary of State



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