

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 6031-02
Bill No.: HB 1910
Subject: Consumer Protection; Children and Minors; Merchandising Practices; Business and Commerce
Type: Original
Date: April 13, 2012

Bill Summary: Prohibits children’s products containing bisphenol-A to be sold in this state.

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 <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Total Estimated Net Effect on <u>All</u> 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 **Department of Agriculture, Department of Insurance, Financial Institutions, and Professional Registration, Department of Natural Resources** and the **Department of Health and Senior Services** assume the proposal will have no fiscal impact on their organizations.

Officials from the **Department of Social Services (DSS)** state a link between bisphenol-A and health problems in children has been suggested, but is not uniformly accepted. Any savings in the medical costs that might accrue to the MO HealthNet Program are indeterminable. Therefore, the DSS assumes the proposal will have no fiscal impact on their organization.

Officials from the **Office of Attorney General (AGO)** state the proposal adds the prohibition against the sale of children's products containing bisphenol-A to Chapter 407, which would make it an unlawful merchandising practice. The AGO enforces Chapter 407. Currently, no investigators within the AGO have the training to detect this type of substance in children's products. Consequently, the AGO assumes there would be cost involved in retaining expert witnesses. While these costs are unknown, they could exceed \$100,000.

Oversight assumes because the potential for litigation is speculative that the AGO will not incur significant costs related to this proposal. If a fiscal impact were to result, the AGO may request additional funding through the appropriations process.

<u>FISCAL IMPACT - State Government</u>	FY 2013 (10 Mo.)	FY 2014	FY 2015
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2013 (10 Mo.)	FY 2014	FY 2015
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

The proposal could have an impact on small business retailers if they carry and sell products containing bisphenol-A and can no longer sell those products or return them to the manufacturer for a refund.

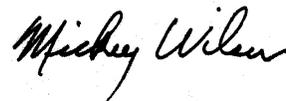
FISCAL DESCRIPTION

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

Office of Attorney General
Department of Agriculture
Department of Insurance, Financial Institutions, and Professional Registration
Department of Natural Resources
Department of Health and Senior Services
Department of Social Services



Mickey Wilson, CPA
Director
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