

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0611-02
Bill No.: SCS for SB 87
Subject: Health, Public; Children and Minors; Counties
Type: Original
Date: March 15, 2013

Bill Summary: This proposal modifies provisions relating to breast-feeding.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
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 2014	FY 2015	FY 2016
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
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 2014	FY 2015	FY 2016
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Social Services (DSS) - Human Resource Center** state the Patient Protection and Affordable Care Act (PPACA) which took effect on March 23, 2010, sets forth that an employer must provide reasonable break time for an employee to express breast milk for one year after the child's birth. In addition, the employer is to provide a private location, other than a bathroom, which may be used by an employee to express breast milk.

The proposed language in SCS for SB 87 broadens the federal regulations as follows:

- Would apply to all employees, not only non-exempt employees under Section 7 of the Fair Labor Standards Act;
- Doesn't provide a time limit;
- Expands to breast-feeding, in addition to expressing breast milk; and,
- Opens the location to any place the individual is authorized to be in a public location.

No limitation is set on the amount of time that the employee may spend breast-feeding or expressing milk. While a cost is not projected, this could have a fiscal impact depending on the amount of time that an employer is required to provide the individual during work hours.

This would also apply to consumers coming into state facilities and offices. While no expectation is set forth that the consumer be given a private location to breast-feed or express milk, there is not an implicit statement that this will not be required. If space is required, there may be a cost to allot space for this reason.

Oversight assumes, based on DSS' response, that any costs related to employees breast-feeding or expressing milk during work hours, would be minimal and, therefore, have no significant fiscal impact on their agency.

Officials from the **Office of State Courts Administrator**, the **Department of Health and Senior Services**, the **Department of Public Safety - Missouri State Highway Patrol**, **St. Louis County**, the **City of Kansas City**, and the **City of Columbia** each assume the proposal would not fiscally impact their respective agencies.

No additional officials from **Cities** or **Counties** responded to **Oversight's** request for a statement of fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<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

Office of State Courts Administrator
Department of Health and Senior Services
Department of Social Services -
 Human Resource Center
Department of Public Safety -
 Missouri State Highway Patrol
City of Columbia
City of Kansas City
St. Louis County



Ross Strope
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