

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 6065-01
Bill No.: HB 2284
Subject: Higher Education; Department of Higher Education
Type: Original
Date: March 12, 2018

Bill Summary: This proposal modifies the Campus Free Expression Act.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
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 2019	FY 2020	FY 2021
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
Total Estimated Net Effect on FTE	0	0	0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Higher Education** assume the proposal will have no fiscal impact on their organization.

Officials from the **Office of the State Courts Administrator** assume there may be some impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

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

Officials from **Missouri State University** assume this proposal has a negative fiscal impact of an undetermined amount on the university.

Officials from the **St. Charles Community College** assume this proposal may require additional costs for the college depending on the number of events and the number of participants at the events. The costs are unknown at this time.

Officials from **Northwest Missouri State University** assume there may be some initial legal fees and training costs for the university, but no other ongoing costs.

Officials from the **University of Central Missouri, Missouri Western State University** and the **State Technical College of Missouri** assume the proposal will have no fiscal impact on their organizations.

Oversight assumes that should this proposal require a college or university to modify their existing policy it can be done with their current resources. Oversight assumes the colleges and universities will ensure their policies comply with statutes so no penalties would be awarded. Oversight assumes this proposal would not have a direct fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2019 (10 Mo.)	FY 2020	FY 2021
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2019 (10 Mo.)	FY 2020	FY 2021
	<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

This bill modifies the Campus Free Expression Act. The bill requires the governing board of each public institution of higher education to adopt a policy on free expression by January 1, 2019. The free expression policy must be consistent with several principles of free speech specified in the bill. The free expression policy shall be made available to students and faculty annually.

The bill also requires institutions to adopt a "student-on-student harassment" policy defining the term no more expansively than unwelcome conduct that is discriminatory on a basis provided by law and that is so severe that it effectively bars the victim's access to an educational benefit.

The bill shall not be interpreted as prohibiting an institution from imposing restrictions on expression that do not violate the United States Constitution or the Missouri Constitution.

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 Higher Education
Office of the State Courts Administrator
Office of the Attorney General
Missouri State University
St. Charles Community College
University of Central Missouri

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SOURCES OF INFORMATION (continued)

Missouri Western State University
State Technical College of Missouri
Northwest Missouri State University

Ross Strope

A handwritten signature in black ink, appearing to read "Ross Strope".

Acting Director
March 12, 2018