

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0182H.01I  
Bill No.: HB 195  
Subject: Merchandising Practices; Consumer Protection; Courts; Civil Procedure  
Type: Original  
Date: January 4, 2021

---

Bill Summary: This proposal requires arbitration agreements for certain disputes to be in a separate agreement.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 6 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

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

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Department of Labor and Industrial Relations, Attorney General's Office, Office of Administration – Administrative Hearing Commission, Department of Commerce and Insurance, Department of Elementary and Secondary Education, Department of Higher Education and Workforce Development, Department of Revenue, Department of Health and Senior Services, Department of Natural Resources, Department of Corrections, Department of Labor and Industrial Relations, Department of Public Safety – Director's Office, Alcohol and Tobacco Control, Capitol Police, Fire Safety, Gaming Commission, National Guard, Highway Patrol, Veterans Commission, Department of Social Services, Missouri Ethics Commission, Missouri Department of Agriculture, Missouri Department of Conservation, Missouri Department of Transportation, MODOT – Patrol Employees' Retirement System, Office of Administration, Missouri State Public Defender, Economic & Policy Analysis Research Center, Missouri House of Representatives, Joint Committee on Administrative Rules, Joint Committee on Education, Legislative Research, Oversight Division, Missouri Senate, Missouri Lottery, Missouri State Employee Retirement System, Missouri Higher Education Loan Authority, Office of State Courts Administrator, Missouri State Tax Commission** each assume that the proposal will have no direct fiscal impact on their respective organizations.

**Officials from Office of Secretary of State (SOS)** assume that many bills considered by the General Assembly include provision 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 SOS for Administrative Rules is less than \$5,000. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, we also recognize that many such bills may be passed by the General Assembly in a given year and that collectively the cost may be in excess of what our office can sustain with our core budget. Therefore, we reserve 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.

**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 require additional resources.

Officials from the **Department of Mental Health** defer to the **Office of Administration** for the potential fiscal impact of this proposal.

ASSUMPTION (continued)

Officials from the **City of Ballwin, Hale, Kansas City, and Springfield** each assume that the proposal will have no direct fiscal impact on their respective organizations.

<u>FISCAL IMPACT – State Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

<u>FISCAL IMPACT – Local Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

This bill specifies that no claim for damages brought under unlawful merchandising practices statutes will be subject to arbitration unless both parties agree to arbitration in a separate written agreement.

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
- Attorney General’s Office
- Office of Administration – Administrative Hearing Commission
- Department of Commerce and Insurance
- Department of Elementary and Secondary Education
- Department of Higher Education and Workforce Development
- Department of Revenue, Department of Health and Senior Services
- Department of Natural Resources
- Department of Corrections

SOURCES OF INFORMATION (continued)

Department of Revenue

Department of Public Safety

- Director's Office
- Alcohol and Tobacco Control
- Capitol Police, Fire Safety
- Gaming Commission
- National Guard
- Highway Patrol
- Veterans Commission

Department of Social Services

Missouri Ethics Commission

Missouri Department of Agriculture

Missouri Department of Conservation

Missouri Department of Transportation

MODOT – Patrol Employees' Retirement System

Office of Administration

Missouri State Public Defender

Economic & Policy Analysis Research Center

Missouri House of Representatives

Joint Committee on Administrative Rules

Joint Committee on Education

Legislative Research, Oversight Division

Missouri Senate, Missouri Lottery

Missouri State Employee Retirement System

Missouri Higher Education Loan Authority

Office of State Courts Administrator

Missouri State Tax Commission

Office of the Secretary of State

Department of Mental Health

L.R. No. 0182H.011

Bill No. HB 195

Page 6 of 6

January 4, 2021

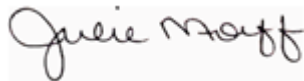
SOURCES OF INFORMATION (continued)

City of Ballwin

City of Hale

City of Kansas City

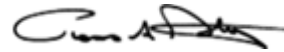
City of Springfield



Julie Morff

Director

January 4, 2021



Ross Strobe

Assistant Director

January 4, 2021