



JOHN R. ASHCROFT
JAMES C. KIRKPATRICK
STATE INFORMATION CENTER
(573) 751-4936
SECRETARY OF STATE
STATE OF MISSOURI
ELECTIONS DIVISION
(573) 751-2301

March 28, 2017

Mike Louis
227 Jefferson Street
Jefferson City, MO 65101

RE: Approval of Ballot Language – Relating to a proposed referendum petition for Senate Substitute 2 for Senate Bill 19 (2018-R002)

Dear Mr. Louis:

Please be advised that the Secretary of State, pursuant to Section 116.180, RSMo, has certified the official ballot title for the referendum petition you submitted on February 21, 2017. The ballot language is as follows:

Do the people of the state of Missouri want to adopt Senate Bill 19 ("Right-to-Work") as passed by the general assembly in 2017, which prohibits as a condition of employment the forced membership in a labor organization (union) or forced payments of dues in full or pro-rata (fair-share); make any activity which violates employees' rights illegal and ineffective; allow legal remedies for anyone injured as a result of another person violating or threatening to violate employees' rights; and which shall not apply to union agreements entered into before the effective date of Senate Bill 19?

State and local government entities expect no costs or savings.

The approval of this ballot title follows review by the Attorney General of the summary statement submitted by this office and the fiscal note summary statement prepared by the State Auditor. Copies of the documents demonstrating this review are enclosed for your records.

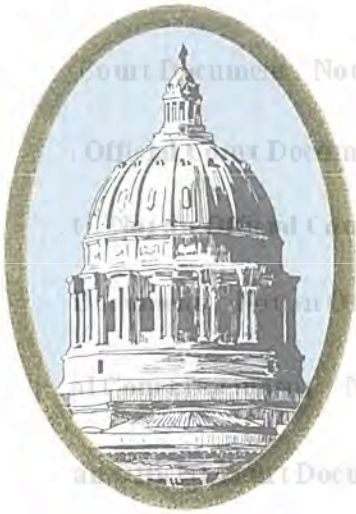
A copy of the certification required by Section 116.180, RSMo, is enclosed. The certified ballot title must be affixed to each page of the petition prior to circulation and signatures shall not be counted if the official ballot title is not affixed to the page containing such signatures.

Should you have questions regarding this matter, please feel free to contact our office.

Sincerely,

Chris Pappas
Director of Elections

Enclosures



STATE OF MISSOURI

Office of Secretary of State

CERTIFICATION OF OFFICIAL BALLOT TITLE

I, John R. Ashcroft, Secretary of State, in compliance with Section 116.180, RSMo, do hereby certify the following language as the official ballot title for the referendum petition for Senate Substitute 2 for Senate Bill 19, submitted by Mike Louis on February 21, 2017. The official ballot title shall read as follows:

Do the people of the state of Missouri want to adopt Senate Bill 19 ("Right-to-Work") as passed by the general assembly in 2017, which prohibits as a condition of employment the forced membership in a labor organization (union) or forced payments of dues in full or pro-rata (fair-share); make any activity which violates employees' rights illegal and ineffective; allow legal remedies for anyone injured as a result of another person violating or threatening to violate employees' rights; and which shall not apply to union agreements entered into before the effective date of Senate Bill 19?

State and local government entities expect no costs or savings.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the seal of my office in the City of Jefferson, State of Missouri, on this 28th day of March, 2017.

Secretary of State





RECEIVED

2017 MAR 27 PM 2:41

ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

JOSHUA D. HAWLEY
ATTORNEY GENERAL

John R. Ashcroft
JOHN R. ASHCROFT
MISSOURI SECRETARY OF STATE

March 27, 2017

OPINION LETTER NO. 211-2017

The Honorable John R. Ashcroft
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Ashcroft:

This opinion letter responds to your request dated March 17, 2017, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Mike Louis regarding a proposed referendum to amend Chapter 290, Revised Statutes of Missouri. The proposed summary statement is as follows:

Do the people of the state of Missouri want to adopt Senate Bill 19 ("Right-to-Work") as passed by the general assembly in 2017, which prohibits as a condition of employment the forced membership in a labor organization (union) or forced payments of dues in full or pro-rata (fair-share); make any activity which violates employees' rights illegal and ineffective; allow legal remedies for anyone injured as a result of another person violating or threatening to violate employees' rights; and which shall not apply to union agreements entered into before the effective date of Senate Bill 19?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by

The Honorable John R. Ashcroft
Page 2

statute, no action that we take with respect to such review should be construed as an endorsement of the referendum, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,


JOSHUA D. HAWLEY
Attorney General



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2017 MAR 24 PM 12:59

OFFICE OF MISSOURI STATE AUDITOR

Jon Halwes
MO. SEC. OF STATE

March 24, 2017

Honorable John R. Ashcroft
Secretary of State
James C. Kirkpatrick State Information Center
600 W Main, Room 337
Jefferson City, MO 65101

Dear Secretary Ashcroft:

Enclosed please find a copy of fiscal note 18-R002 and the approval of the fiscal note summary by the Attorney General's office pursuant to §116.175, RSMo.

On March 24, 2017 we received approval as to legal content and form of the fiscal note summary. This transmittal completes the fiscal note and fiscal note summary process for this proposed ballot measure. If you have any questions or comments, please contact me at (573) 751-4213.

Sincerely,

Jon Halwes

Jon Halwes, CPA, CGFM
Director of Audits

Enclosures



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JEFFERSON CITY
65102

JOSHUA D. HAWLEY
ATTORNEY GENERAL

P.O. Box 889
(573) 751-3321

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March 24, 2017

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OPINION LETTER NO. 205-2017

The Honorable Nicole Galloway
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of March 14, 2017, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for a referendum petition submitted by Mike Louis (18-R002). The fiscal note summary that you submitted is as follows:

State and local government entities expect no costs or savings.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents.

Very truly yours,

JOSHUA D. HAWLEY
Attorney General

OP-2017-0136



RECEIVED

MAR 14 2017

MISSOURI

ATTORNEY GENERAL

OFFICE OF MISSOURI STATE AUDITOR

March 14, 2017

The Honorable Joshua D. Hawley
Attorney General
Supreme Court Building
Jefferson City, MO 65101

Dear Attorney General Hawley:

Our office received referendum petition 18-R002 on February 22, 2017. Pursuant to §116.175, RSMo, we are forwarding the following fiscal note summary for your review and approval as to legal content and form:

State and local government entities expect no costs or savings.

A copy of the fiscal note for the referendum petition is also attached. Thank you for your immediate attention to this matter. Your office should return the approved fiscal note summary to our office within 10 days, pursuant to §116.175.4, RSMo. If you have any questions or comments, please contact me at (573) 751-4213.

Sincerely,

Jon Halwes, CPA, CGFM
Director of Audits

Enclosures

MISSOURI STATE AUDITOR'S OFFICE
FISCAL NOTE (18-R002)

Subject

Referendum petition from Mike Louis regarding Senate Substitute 2 for Senate Bill 19
(Received February 22, 2017)

Date

March 14, 2017

Description

Voters will approve or reject this statutory change.

The referendum is to be voted on in November 2018.

Public comments and other input

The State Auditor's office requested input from the Attorney General's office, the Department of Agriculture, the Department of Economic Development, the Department of Elementary and Secondary Education, the Department of Higher Education, the Department of Health and Senior Services, the Department of Insurance, Financial Institutions and Professional Registration, the Department of Mental Health, the Department of Natural Resources, the Department of Corrections, the Department of Labor and Industrial Relations, the Department of Revenue, the Department of Public Safety, the Department of Social Services, the Governor's office, the Missouri House of Representatives, the Department of Conservation, the Department of Transportation, the Office of Administration, the Office of State Courts Administrator, the Missouri Senate, the Secretary of State's office, the Office of the State Public Defender, the State Treasurer's office, Adair County, Boone County, Callaway County, Cass County, Clay County, Cole County, Greene County, Jackson County, Jasper County, St. Charles County, St. Louis County, Taney County, the City of Cape Girardeau, the City of Columbia, the City of Jefferson, the City of Joplin, the City of Kansas City, the City of Kirksville, the City of Mexico, the City of Raymore, the City of St. Joseph, the City of St. Louis, the City of Springfield, the City of Union, the City of Wentzville, the City of West Plains, Cape Girardeau 63 School District, Hannibal 60 School District, State Technical College of Missouri, Metropolitan Community College, University of Missouri, St. Louis Community College, the Kansas City Boards of Police Commissioners, the Metropolitan Police Department - City of St. Louis, University of Central Missouri, Harris-Stowe State University, Lincoln University, Missouri State University, Missouri Southern State University, Missouri Western State University, Northwest Missouri State University, Southeast Missouri State University, and Truman State University.

Assumptions

Officials from the **Attorney General's office** indicated the proposed referendum could result in increased litigation. They assume it could absorb costs associated with the increased litigation using existing resources. However, if the enactment of this proposal were to result in substantial additional litigation, they may request additional appropriations.

Officials from the **Department of Agriculture** indicated no fiscal impact on their department.

Officials from the **Department of Economic Development** indicated they are deferring to the Office of Administration for this request.

This petition refers to legislation that was passed this session, SB 19. Their response to Oversight on the fiscal note for SB 19, 0269-05, was that they were deferring to OA. See Oversight's wording in the actual fiscal note for SB 19. They believe their response for this referendum petition 18-R002 would be the same...defer to OA.

Officials from the **Department of Higher Education** indicated this referendum petition would not have a fiscal impact on their department.

Officials from the **Department of Health and Senior Services** indicated they defer to the Office of Administration, Division of Personnel to calculate the fiscal impact of the proposed legislation.

Officials from the **Department of Insurance, Financial Institutions and Professional Registration** indicated this referendum petition, if passed, will have no cost or savings to their department.

Officials from the **Department of Mental Health** indicated they defer to the Office of Administration Personnel.

Officials from the **Department of Natural Resources** indicated they would not anticipate a direct fiscal impact from this proposal.

Officials from the **Department of Corrections** indicated no fiscal impact.

Officials from the **Department of Labor and Industrial Relations** indicated no fiscal impact on their department.

Officials from the **Department of Revenue** indicated this petition will have no fiscal impact on their department.

Officials from the **Department of Public Safety - Office of the Director** indicated they see no fiscal impact due to this petition.

Officials from the **Department of Social Services** indicated no fiscal impact on their department. They defer to OA for response to this fiscal note request.

Officials from the **Governor's office** indicated there should be no added costs or savings to their office.

Officials from the **Missouri House of Representatives** indicated no fiscal impact to their office.

Officials from the **Department of Conservation** indicated that no adverse fiscal impact to their department would be expected as a result of the proposal.

Officials from the **Department of Transportation** indicated no fiscal impact.

Officials from the **Office of Administration** indicated:

The referendum petition would put the provisions of SB 19 to a vote of the people in the November 2018 general election.

This proposal should have no impact on their office.

Officials from the **Office of State Courts Administrator** indicated there is no fiscal impact on the courts.

Officials from the **Missouri Senate** indicated no fiscal impact on their office.

Officials from the **Secretary of State's office** indicated their office is required to pay for publishing in local newspapers the full text of each statewide ballot measure as directed by Article XII, Section 2(b) of the Missouri Constitution and Section 116.230-116.290, RSMo. Their office is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. Funding for this item is adjusted each year depending upon the election cycle with \$1.3 million historically appropriated in odd numbered fiscal years and \$100,000 appropriated in even numbered fiscal years to meet these requirements. Through FY (fiscal year) 2013, the appropriation had historically been an estimated appropriation because the final cost is dependent upon the number of ballot measures approved by the General Assembly and the initiative petitions certified for the ballot. In FY 2015, the General Assembly changed the appropriation so that it was no longer an estimated appropriation. In FY 2017 their office was appropriated \$2.6 million to publish the full text of the measures. In FY 2017, at the August and November elections, there were 6 statewide Constitutional Amendments or ballot propositions that cost \$2.4 million to publish (an average of \$400,000 per issue). Their office will continue to assume, for the purposes of this fiscal note, that it should have the full appropriation authority it needs to meet the publishing requirements. Because these requirements are mandatory, they reserve the right to request funding to meet the cost of their publishing requirements if the Governor and the General Assembly again change the amount or continue to not designate it as an estimated appropriation.

Officials from the **Office of the State Public Defender** indicated this petition will not have any substantial impact on their office.

Officials from the **State Treasurer's office** indicated this proposal would have no impact on their office.

Officials from **Greene County** indicated there is no quantifiable information to submit regarding estimated costs or savings to report from their county for the referendum petition. They also attached the fiscal note that was prepared for Senate Substitute #2 for SB 19 that was completed by the Committee on Legislative Research Oversight Division and notes the same. Costs of \$0 for fiscal year 2018, fiscal year 2019, and fiscal year 2020.

Officials from the **City of Kansas City** indicated this referendum petition will have no fiscal impact on their city.

Officials from **University of Missouri** indicated they have reviewed this proposed legislation and have determined that they are not able to estimate any significant financial impact on their university.

Officials from **University of Central Missouri** indicated they estimate no fiscal impact from this petition.

Officials from **Missouri State University** indicated in response to this petition, no fiscal impact to their university.

The State Auditor's office did not receive a response from the **Department of Elementary and Secondary Education**, **Adair County**, **Boone County**, **Callaway County**, **Cass County**, **Clay County**, **Cole County**, **Jackson County**, **Jasper County**, **St. Charles County**, **St. Louis County**, **Taney County**, the **City of Cape Girardeau**, the **City of Columbia**, the **City of Jefferson**, the **City of Joplin**, the **City of Kirksville**, the **City of Mexico**, the **City of Raymore**, the **City of St. Joseph**, the **City of St. Louis**, the **City of Springfield**, the **City of Union**, the **City of Wentzville**, the **City of West Plains**, **Cape Girardeau 63 School District**, **Hannibal 60 School District**, **State Technical College of Missouri**, **Metropolitan Community College**, **St. Louis Community College**, **Kansas City Board of Police Commissioners**, **The Metropolitan Police Department - City of St. Louis**, **Harris-Stowe State University**, **Lincoln University**, **Missouri Southern State University**, **Missouri Western State University**, **Northwest Missouri State University**, **Southeast Missouri State University**, and **Truman State University**.

Fiscal Note Summary

State and local government entities expect no costs or savings.



JAMES C. KIRKPATRICK
STATE INFORMATION CENTER
(573) 751-4936

JOHN R. ASHCROFT
SECRETARY OF STATE
STATE OF MISSOURI

ELECTIONS DIVISION
(573) 751-2301

August 14, 2019

Sara Baker
906 Olive St., Suite 1130
St. Louis, MO 63101

RE: Approval of Ballot Language – Relating to a proposed referendum petition for Senate Substitute for Senate Committee Substitute for House Bill 126 (2020-R001)

Dear Ms. Baker:

Please be advised that the Secretary of State, pursuant to Section 116.180, RSMo, has certified the official ballot title for the referendum petition you submitted on May 28, 2019. The ballot language is as follows:

Do you want to adopt House Bill 126 passed by the General Assembly in 2019, which specifically amends Missouri law to:

- provide the unborn child with the same protections as those already born;
- prohibit abortions at eight weeks of gestation (at which time there is a medically detected heartbeat), except in cases of medical emergency;
- establish successive times at which abortions are prohibited (fourteen weeks, eighteen weeks, twenty weeks, all with medical emergency exceptions) if earlier time frames are found unlawful; and
- prohibit an abortion based solely on the sex, race or Down Syndrome screening of the unborn child?

Revenues from state sources may decrease by at least \$4.9 million annually and federal Medicaid revenues may decrease by an unknown amount, up to \$7.2 billion annually. The Public Defender's Office anticipates increased costs of an unknown amount to defend women's medical actions after conception. Local governmental entities anticipate a significant negative impact.

The approval of this ballot title follows review by the Attorney General of the summary statement submitted by this office and the fiscal note summary statement prepared by the State Auditor. Copies of the documents demonstrating this review are enclosed for your records.

A copy of the certification required by Section 116.180, RSMo, is enclosed. The certified ballot title must be affixed "to each page of the petition prior to circulation and signatures shall not be counted if the official ballot title is not affixed to the page containing such signatures."

Should you have questions regarding this matter, please feel free to contact our office.

Sincerely,

Director of Elections

Enclosures



STATE OF MISSOURI

Office of Secretary of State

CERTIFICATION OF OFFICIAL BALLOT TITLE

I, John R. Ashcroft, Secretary of State, in compliance with Section 116.180, RSMo, do hereby certify the following language as the official ballot title for the referendum petition for Senate Substitute for Senate Committee Substitute for House Bill 126, submitted by Sara Baker on May 28, 2019. The official ballot title shall read as follows:

Do you want to adopt House Bill 126 passed by the General Assembly in 2019, which specifically amends Missouri law to:

- provide the unborn child with the same protections as those already born;
- prohibit abortions at eight weeks of gestation (at which time there is a medically detected heartbeat), except in cases of medical emergency;
- establish successive times at which abortions are prohibited (fourteen weeks, eighteen weeks, twenty weeks, all with medical emergency exceptions) if earlier time frames are found unlawful; and
- prohibit an abortion based solely on the sex, race or Down Syndrome screening of the unborn child?

Revenues from state sources may decrease by at least \$4.9 million annually and federal Medicaid revenues may decrease by an unknown amount, up to \$7.2 billion annually. The Public Defender's Office anticipates increased costs of an unknown amount to defend women's medical actions after conception. Local governmental entities anticipate a significant negative impact.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the seal of my office in the City of Jefferson, State of Missouri, on this 14th day of August, 2019.




Secretary of State



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2019 AUG 13 PM 3:52

ATTORNEY GENERAL OF MISSOURI
ERIC SCHMITT

August 13, 2019

OPINION LETTER NO. 168-2019 (revised)

The Honorable John R. Ashcroft
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Ashcroft:

On August 12, 2019 we sent you a response to your request dated August 2, 2019, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by Sara Baker regarding a proposed referendum to Senate Substitute for Senate Committee Substitute for House Bill 126 (2020-R001). Due to a typographical error we are reissuing our response. This response supersedes the previous opinion letter. The proposed summary statement is as follows:

Do you want to adopt House Bill 126 passed by the General Assembly in 2019, which specifically amends Missouri law to:

- provide the unborn child with the same protections as those already born;
- prohibit abortions at eight weeks of gestation (at which time there is a medically detected heartbeat), except in cases of medical emergency;
- establish successive times at which abortions are prohibited (fourteen weeks, eighteen weeks, twenty weeks, all with medical emergency exceptions) if earlier time frames are found unlawful; and
- prohibit an abortion based solely on the sex, race or Down Syndrome screening of the unborn child?

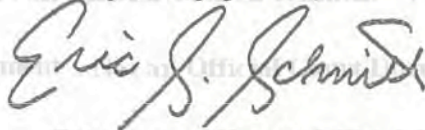
Supreme Court Building
207 W. High Street
P.O. Box 899
Jefferson City, MO 65102
Phone: (573) 751-3321
Fax: (573) 751-0700
www.ago.mo.gov

OP-2019-0195

People Not Politicians v. Hoskins 000137

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,



ERIC S. SCHMITT

Attorney General



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2019 JUL 23 AM 9:13

OFFICE OF MISSOURI STATE AUDITOR

July 23, 2019

Honorable John R. Ashcroft
Secretary of State
James C. Kirkpatrick State Information Center
600 W Main, Room 337
Jefferson City, MO 65101

Dear Secretary Ashcroft:

Enclosed please find a copy of fiscal note 20-R001 and the approval of the fiscal note summary by the Attorney General's office pursuant to §116.175, RSMo.

On July 22, 2019, we received approval as to legal content and form of the fiscal note summary. This transmittal completes the fiscal note and fiscal note summary process for this proposed ballot measure. If you have any questions or comments, please contact me at (573) 751-4213.

Sincerely,

Susan J. Beeler, CPA, CIA
Assistant Director of Audits

Enclosures



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JUL 22 2019

STATE AUDITORS OFFICE

ATTORNEY GENERAL OF MISSOURI
ERIC SCHMITT

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Official Court Document Not an Official Court Document OPINION LETTER NO. 137-2019

The Honorable Nicole Galloway
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Dear Auditor Galloway:

This office received your letter of June 17, 2019, submitting a fiscal note and fiscal note summary prepared under § 116.175, RSMo, for an initiative petition submitted by Sara Baker (20-R001). The fiscal note summary that you submitted is as follows:

Revenues from state sources may decrease by at least \$4.9 million annually and federal Medicaid revenues may decrease by an unknown amount, up to \$7.2 billion annually. The Public Defender's Office anticipates increased costs of an unknown amount to defend women's medical actions after conception. Local governmental entities anticipate a significant negative impact.

Under § 116.175.4, RSMo, we approve the legal content and form of the fiscal note summary. Because our review of the fiscal note summary is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the initiative petition or as the expression of any view regarding the objectives of its proponents. Furthermore, our review under § 116.175.4 does not examine the fairness or sufficiency of the estimated fiscal impact.

Not an Official Court Document Very truly yours, Not an Official Court Document

ERIC S. SCHMITT
Attorney General

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Supreme Court Building
207 W. High Street
P.O. Box 899
Jefferson City, MO 65102
Phone: (573) 751-3321
Fax: (573) 751-0774
www.ago.mo.gov

OP-2019-0130

People Not Politicians v. Hoskins 000140



RECEIVED
JUN 17 2019
MISSOURI
ATTORNEY GENERAL

OFFICE OF MISSOURI STATE AUDITOR

June 17, 2019

The Honorable Eric Schmitt
Attorney General
Supreme Court Building
Jefferson City, MO 65101

Dear Attorney General Schmitt:

Our office received referendum petition 20-R001 on May 28, 2019. Pursuant to §116.175, RSMo, we are forwarding the following fiscal note summary for your review and approval as to legal content and form:

Revenues from state sources may decrease by at least \$4.9 million annually and federal Medicaid revenues may decrease by an unknown amount, up to \$7.2 billion annually. The Public Defender's Office anticipates increased costs of an unknown amount to defend women's medical actions after conception. Local governmental entities anticipate a significant negative impact.

A copy of the fiscal note for the referendum petition is also attached. Thank you for your immediate attention to this matter. Your office should return the approved fiscal note summary to our office within 10 days, pursuant to §116.175.4, RSMo. If you have any questions or comments, please contact me at (573) 751-4213.

Sincerely,

Susan J. Beeler, CPA, CIA
Assistant Director of Audits

Enclosures

MISSOURI STATE AUDITOR'S OFFICE
FISCAL NOTE (20-R001)

Subject

Referendum petition from Sara Baker regarding Senate Substitute for Senate Committee Substitute for House Bill No. 126. (Received May 28, 2019)

Date

June 17, 2019

Description

Voters will approve or reject this statutory change.

The referendum is to be voted on in November 2020.

Public comments and other input

The State Auditor's office requested input from the Attorney General's office, the Department of Agriculture, the Department of Economic Development, the Department of Elementary and Secondary Education, the Department of Higher Education, the Department of Health and Senior Services, the Department of Insurance, Financial Institutions and Professional Registration, the Department of Mental Health, the Department of Natural Resources, the Department of Corrections, the Department of Labor and Industrial Relations, the Department of Revenue, the Department of Public Safety, the Department of Social Services, the Governor's office, the Missouri House of Representatives, the Department of Conservation, the Department of Transportation, the Office of Administration, the Office of State Courts Administrator, the Missouri Senate, the Secretary of State's office, the Office of the State Public Defender, the State Treasurer's office, Adair County, Boone County, Callaway County, Cass County, Clay County, Cole County, Greene County, Jackson County, Jasper County, St. Charles County, St. Louis County, Taney County, the City of Cape Girardeau, the City of Columbia, the City of Jefferson, the City of Joplin, the City of Kansas City, the City of Kirksville, the City of Mexico, the City of Raymore, the City of St. Joseph, the City of St. Louis, the City of Springfield, the City of Union, the City of Wentzville, the City of West Plains, Cape Girardeau 63 School District, Hannibal 60 School District, Malta Bend R-V School District, Mehlville School District, Wellsville-Middletown R-1 School District, State Technical College of Missouri, Metropolitan Community College, University of Missouri, St. Louis Community College, and Missouri Life Sciences Research Board.

Judy Morgan, District 24, Ingrid Burnett, District 19, and Donna Baringer, District 82, members of the Missouri House of Representatives Fiscal Review Committee provided information to the State Auditor's office.

Sarah Nesbitt, Washington University graduate and 240 graduates of Missouri institutions of higher education provided information to the State Auditor's office.

Mark R. Reading and Bret Fischer provided information to the State Auditor's office.

Kip Kendrick, State Representative, District 45, Ranking Member House Budget Committee provided information to the State Auditor's office.

Sarah W. Martin, 11th Ward Alderwoman, Lyda Krewson, Mayor, Annie Rice, 8th Ward Alderwoman, Dan Guenther, 9th Ward Alderman, Larry Arnowitz, 12th Ward Alderman, Cara Spencer, 20th Ward Alderwoman, Bret Narayan, 24th Ward Alderman, Shane Cohn, 25th Ward Alderman, and Heather Navarro, 28th Ward Alderwoman from City of St. Louis provided information to the State Auditor's office.

Assumptions

Officials from the **Department of Agriculture** indicated no fiscal impact on their department.

Officials from the **Department of Economic Development** indicated no impact to their department.

Officials from the **Department of Elementary and Secondary Education** indicated this legislation does not impact their department.

Officials from the **Department of Higher Education** indicated they report no fiscal impact for HB 126 as Truly Agreed and Finally Passed (TAFP).

Officials from the **Department of Health and Senior Services** indicated this referendum has no impact.

Officials from the **Department of Insurance, Financial Institutions and Professional Registration** indicated this petition, if passed, will have no cost or savings to their department.

Officials from the **Department of Mental Health** indicated this proposal creates no direct obligations or requirements to their department that would result in a fiscal impact.

Officials from the **Department of Natural Resources** indicated they would not anticipate a direct fiscal impact from this proposal.

Officials from the **Department of Corrections** indicated no fiscal impact.

Officials from the **Department of Labor and Industrial Relations** indicated initiative petition 20-R001 does not appear to have a fiscal impact on their department.

Officials from the **Department of Revenue** indicated their department has no impact for this fiscal note.

Officials from the **Department of Public Safety - Office of the Director** indicated they see no fiscal impact due to this initiative petition.

Officials from the **Department of Social Services** indicated they do not anticipate a fiscal impact as a result of this referendum petition.

Officials from the **Governor's office** indicated there should be no added costs or savings to their office.

Officials from the **Missouri House of Representatives** indicated no fiscal impact to their office.

Officials from the **Department of Conservation** indicated no adverse fiscal impact to their department would be expected as a result of the proposal.

Officials from the **Department of Transportation** indicated this referendum petition would have no impact to their department/Missouri Highways and Transportation Commission.

Officials from the **Office of Administration** indicated the referendum petition would put the provisions of HB 126 to a vote of the people in the November 2020 general election.

HB 126 provides that for all tax years beginning on or after January 1, 2021, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal to 70% of the amount such taxpayer contributed to a pregnancy resource center, an increase from the 50% previously allowed. The fiscal note for HB 126 estimates that this increase will result in a loss to General Revenue that could exceed \$1.4 million annually beginning in Fiscal Year 2022.

HB 126 removes the December 31, 2024 sunset on the pregnancy resource center tax credit. The fiscal note for HB 126 estimates that the removal of the sunset will result in a loss to General Revenue that could exceed \$4.9 million annually beginning in Fiscal Year 2026.

HB 126 expands the definition of pregnancy resource center to include facilities that offer services under the Alternatives to Abortion Program. It also removes the cap on the pregnancy resource tax credit for all fiscal years beginning on or after July 1, 2021. The fiscal note for HB 126 notes that these provisions, as well as the increased tax credit percentage, could increase utilization of the pregnancy resource center tax credit by an unknown amount.

Therefore, because HB 126 is estimated to reduce General Revenue by an amount that could exceed \$4.9 million once the provisions are fully implemented in Fiscal Year 2026, if HB 126 were repealed there could be a positive impact to General Revenue that could exceed \$4.9 million.

This should not impact their office.

Officials from the **Office of State Courts Administrator** indicated there is no fiscal impact on the courts.

Officials from the **Missouri Senate** indicated they anticipate no fiscal impact.

Officials from the **Office of the State Public Defender** indicated Referendum Petition 20-R001 "Abortion" will have an unknown but significant fiscal impact on the State Public Defender System. Referendum Petition 20-R002 creates a new Class B felony for "any person who knowingly . . . induces an abortion of an unborn child . . .," which arguably would include post-conception contraception. If so, this would result in the prosecution of an unknown but significant number of indigent women throughout the state which would require representation by the State Public Defender System for the purpose of the referendum petition and as a result of excessive caseloads, their office CANNOT assume existing staff will provide competent, effective representation for any new cases where indigent persons are charged with the proposed new crime of knowingly performing or inducing an abortion of an unborn child. The Missouri State Public Defender System is currently providing legal representation in caseloads in excess of recognized standards. Their office will continue to request sufficient appropriations to provide competent and effective representation in all criminal cases where the right to counsel attaches.

Officials from the **State Treasurer's office** indicated no fiscal impact to their office.

Officials from **Greene County** indicated there are no estimated costs or savings to report from their county for this referendum petition.

Officials from the **City of Kansas City** indicated they cannot appreciate or ascertain any reasonable estimate of direct fiscal impact.

Officials from the **City of St. Louis** indicated their local government estimates the fiscal impact of the bill for fiscal years 2020, 2021 and 2022 to be as follows:

In their city, ensuring access to high-quality family planning and reproductive health services for all women, especially those who are uninsured or underinsured, is critical to improving health outcomes for the St. Louis region. Planned Parenthood and Federally Qualified Health Centers (FQHC) in their city serve as safety nets for the aforementioned population. FQHCs provide comprehensive services, which include, but are not limited to: women's health (obstetrics/gynecology, family planning, pregnancy testing, childbirth classes), pediatrics and teens, immunizations, adult medical services, sexually transmitted

infections testing (including HIV) and treatment, dental, lead screening and treatment, and diabetes and nutrition education classes.

Planned Parenthood offers a variety of family planning, cancer prevention, and comprehensive reproductive health services, which include but are not limited to: annual gynecological exams, cervical cancer screenings, birth control, breast exams, STI testing and treatment, abortion care, emergency contraception, pregnancy tests, HPV vaccinations, urinary tract infection treatment, and vasectomies. If Planned Parenthood is no longer able to provide comprehensive reproductive and family planning services, this will create a critical gap in the St. Louis region's local public health system infrastructure, which will increase the vulnerability of economically disenfranchised populations who bear the highest burden of poor health outcomes (e.g., maternal mortality, infant mortality, chronic diseases). In addition, this will have a dire fiscal impact on other components of the health system, which will have to absorb the direct and indirect costs of obstetric care and postpartum care for the underinsured, uninsured, and for persons with public insurance (e.g., Gateway for Better Health, Medicaid).

According to recent data, the cost of having a baby in the St. Louis area ranges from \$4,668 - \$15,607. This range does not include delivery, indirect costs, or other special circumstances that may require additional resources or more specialized medical care. This is a cost that will be paid by hospital systems. In total, the increased costs of full-term OB care, postpartum care, and related administrative costs may exceed \$7 million annually.

In addition, the safety net of reproductive care for women with limited means is fragile. If the largest provider of reproductive health care in St. Louis is unable to financially continue to be a cornerstone in the delivery of access to care, the cost in replacing the current reproductive care would be \$37 million in direct care costs with an additional \$8 million in increased administration costs.

One of the essential services of public health is the assurance that access to care is provided in the regions within the city's authority. The threat of massive disruptions to the delivery of care in the region to potentially vulnerable residents is significant.

They affirm the potential threat of disruption in Medicaid funding that could result from not complying with federal legislation that pledges access to comprehensive reproductive health services. In the past, their city has been penalized by federal agencies for maintaining state legislation that does not conform to minimum standards established by the federal government. Medicaid funding continues to be the glue that holds together the foundational structure for access to care. The impact of losing Medicaid funding will be calamitous to the St. Louis region's local public health system, and the lives of St. Louis residents and visitors.

Convention and Tourism

Their city has already had one Convention cancel for 2024 due to the passage of HB 126. The summarized data is as follows.

American Society for Engineering Education

Annual Conference & Exposition

Dates: June 15-18, 2024

Attendees: 4,500

Peak/Total Room Nights: 1,700/6,842

Direct Spend Economic Impact: \$4.87 million

The speed at which this cancellation came through is indicative that the Convention Business would lose 3 to 4 conventions a year. The American Society for Engineering Education is representative of many of the Conventions that will be booked.

Over the next three years, at a minimum, it is expected that the loss of 3 Conventions a year will result in a \$14.61 million dollar loss of economic activity each year in their city.

Loss of Students' Spending while attending our Universities

Information provided by Washington University indicates that their average student spends approximately \$81,000 each, which is the impact on the local economy. If both major Universities lose conservatively 100 applicants in each of the next 3 years (200 for 1 year, 200 for 2 years, and 200 for 3 years), the amount of loss local economic activity would be \$97,000,000.

Officials from **Wellsville-Middletown R-1 School District** indicated any bill that impacts the ability to provide health-related services to women including contraception, family planning, pre & post-natal services and yes, medically safe abortions, will have a long term fiscal impact on all state services.

Officials from **Metropolitan Community College** indicated no anticipated fiscal impact for their college.

Judy Morgan, District 24, Ingrid Burnett, District 19, and Donna Baringer, District 82, members of the Missouri House of Representatives Fiscal Review Committee provided the following information:

Nicole Galloway, CPA
Missouri State Auditor
Capitol Office
State Capitol, Rm 121
Jefferson City, MO 65101

June 7, 2019

Dear Auditor Galloway,

As members of the Fiscal Review Committee of the Missouri House of Representatives, we are writing in regard to House Bill No. 126, which was passed by the Missouri legislature on May 17, 2019. Specifically, we would like to address the fiscal implications of House Bill No. 126.

First, in the first sentence of paragraph one of the fiscal analysis dated May 16, 2019 (page 3), Oversight noted, "Due to time constraints of less than 1 hour, Oversight was unable to receive some of the agency responses in a timely manner and performed limited analysis." It is quite disconcerting that the Missouri legislature passed House Bill No. 126 when Oversight clearly did not have the time to adequately analyze the fiscal implications of said bill. We consider spending taxpayer dollars with "limited analysis" of its fiscal implications as irresponsible and foolish.

Second, the truly agreed to and finally passed version of House Bill No. 126 made significant changes to the tax credits for pregnancy resource centers. Currently the program has a \$2.5 million cap, which will expand to \$3.5 million on July 1, 2019, contains a sunset clause of December 31, 2024, and awards taxpayers up to a 50% tax credit for contributions they make to pregnancy resource centers.

House Bill No. 126 removes both the cap and the sunset for pregnancy resource centers and increases the amount of the tax credit awarded to taxpayers from 50 percent to 70 percent of their contributions to such centers. Listed below are relevant statements from the fiscal analysis in regard to the changes in the tax credits for pregnancy resource centers.

- "Also, if the amount of tax credits redeemed in a fiscal year is less than the cumulative amount, the difference shall be carried over to a subsequent fiscal year or years and shall be added to the cumulative amount of tax credits that may be authorized in that fiscal year or years. Therefore, adding unused credits from the previous year(s), the cap in any given year past FY 2019 could well exceed \$3.5 million." (Page 3)
- "Oversight notes this proposal allows facilities that offer services under the Alternatives to Abortion program to qualify for the pregnancy resource center. Oversight assumes this could expand the number of pregnancy resource centers that are eligible to distribute this tax credit." (Page 4)
- "Oversight notes that starting January 1, 2021 (FY 2021) this proposal increases the amount of the credit from 50 percent of the contribution to 70 percent of the contribution. Increasing the tax credit amount could encourage additional taxpayers to participate in the program." (Page 4)

- “Oversight notes with the combination of;
 - expanding the definition of pregnancy resource centers;
 - increasing the percentage of the credit; and
 - removing the cap

would increase the utilization of the credit and Oversight will show all impacts as Could exceed the estimates provided above.” (Page 4)

From a fiscal perspective, we are very concerned about the changes House Bill No. 126 stipulated in regard to pregnancy resource centers – from lifting the cap and sunset to increasing the tax credit from 50 percent to 70 percent for contributions. As the fiscal analysis noted with such broad ranging parameters, all the estimates for the cost of implementing these changes are listed in the “Could exceed” range of dollars. Although the fiscal analysis estimated the cost at (Could exceed \$1.4 million) in FY 22 and (Could exceed \$4.9 million) in FY 26, we are basically working in the dark. Since the amounts are listed as “Could exceed,” we actually do not know how much the state coffers will lose based on these changes.

In addition sunsets serve a useful purpose in that the program comes back to the legislature for review automatically on a periodic basis. Removing the sunset means that the legislature will never again look at the tax credit program for pregnancy resource centers.

Third, under current federal law known as the Hyde Amendment, Medicaid is only required to pay for abortions in the cases of rape, incest, or threat to the life of the mother. The fiscal analysis noted, “. . .officials from the Department of Social Services (DSS) stated the proposed language may be subject to legal challenge on the grounds that it may conflict with current federal law governing the Medicaid program to the extent that it would prohibit the Missouri Medicaid program from paying for abortions in cases of pregnancies arising from rape or incest, or in cases where the abortion is necessary to save the life of the mother.” (Page 5)

Oversight documented that Missouri was directed by the United States District Court in 1994 to comply with the requirements of the Hyde Amendment. (Page 6) Furthermore, the fiscal analysis stated, “Failure to comply with the requirements of current federal law could subject Missouri to the risk of litigation and sanctions, including the possibility of deferral or disallowance of federal financial participation in Missouri’s Medicaid program. The extent of the deferral or disallowance is unknown. Oversight noted in response to House Bill No. 126, the DSS stated the legislation could result in the loss of all federal Medicaid funds.” (Page 6)

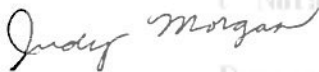
Therefore, implementation of House Bill No. 126 could result in our state losing the federal dollars we receive for MO HealthNet. According to the fiscal analysis, that amount for Fiscal Year 2019 was over \$7.2 billion. (Page 6) Implementing a law that would put the disabled, mentally ill, pregnant women, and children at risk of losing their MO HealthNet coverage is unconscionable.

Fourth, the fiscal analysis noted, “This proposal may have a significant negative fiscal impact on small business health care providers if the State of Missouri loses federal funding used to provide

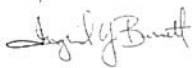
services to MO HealthNet recipients through these health care providers.” (Page 14) Losing the \$7.2 billion in federal dollars would also hurt our medical care providers.

We consider House Bill No. 126 as an unconstitutional piece of legislation based on its substance. In addition, Oversight was not provided an adequate amount of time to prepare the fiscal analysis and many uncertainties exist in regard to the fiscal impact House Bill No. 126 will have on our state budget. In closing, thank you for your consideration of this important matter affecting Missouri citizens.

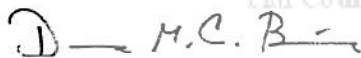
Sincerely,



Judy Morgan
Missouri State Representative
District 24



Ingrid Burnett
Missouri State Representative
District 19



Donna M.C. Baringer
Missouri State Representative
District 82

Sarah Nesbitt, Washington University graduate and 240 graduates of Missouri institutions of higher education provided the following information:

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