

**LEGISLATIVE FISCAL OFFICE**

**Fiscal Note**



Fiscal Note On: **HB 11** HLS 081ES 40  
 Bill Text Version: **ORIGINAL**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> February 17, 2008 1:32 PM	<b>Author:</b> TUCKER
<b>Dept./Agy.:</b> Justice	<b>Analyst:</b> Evelyn McWilliams
<b>Subject:</b> Procedures for mediation of public records disputes	

PUBLIC RECORDS OR +\$236,502 GF EX See Note Page 1 of 1  
 Establishes procedures for the mediation of public records disputes (Item #5(4))

Authorizes persons to request the attorney general to mediate public records disputes and, if a person requests a mediation, requires the public body, public officer or custodian to participate.

Requires the attorney general to promulgate rules and regulations to provide procedures for such mediation. The rules and regulations are subject to oversight by the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs.

<b>EXPENDITURES</b>	<b><u>2008-09</u></b>	<b><u>2009-10</u></b>	<b><u>2010-11</u></b>	<b><u>2011-12</u></b>	<b><u>2012-13</u></b>	<b><u>5 -YEAR TOTAL</u></b>
State Gen. Fd.	\$236,502	\$232,672	\$241,689	\$251,067	\$260,819	<b>\$1,222,749</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>	<b>\$236,502</b>	<b>\$232,672</b>	<b>\$241,689</b>	<b>\$251,067</b>	<b>\$260,819</b>	<b>\$1,222,749</b>
<b>REVENUES</b>	<b><u>2008-09</u></b>	<b><u>2009-10</u></b>	<b><u>2010-11</u></b>	<b><u>2011-12</u></b>	<b><u>2012-13</u></b>	<b><u>5 -YEAR TOTAL</u></b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
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Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

The Justice Department anticipates expending \$236,502 and adding 3 new positions (2 attorneys/hearing officers and 1 legal secretary) to implement this legislation in FY 09. The proposed legislation requires the Justice Department to make every effort to resolve public records disputes within 10 days of receipt of a request for mediation. The department estimates that it will receive over 400 requests for mediation annually. The required funding will provide for salaries and related benefits (\$216,752), operating expenses (\$13,750) and computer equipment (\$6,000). Funding in subsequent fiscal years includes a 4% merit increase and removal of funding for computer equipment.

**REVENUE EXPLANATION**

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate                      Dual Referral Rules  
 13.5.1 >= \$500,000 Annual Fiscal Cost  
 13.5.2 >= \$500,000 Annual Tax or Fee Change

House  
 6.8(F) >= \$500,000 Annual Fiscal Cost  
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease

*Robert E. Hosse*  
**Robert E. Hosse**  
**LFO Staff Director**