

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

LR No.: 0544-07
Bill No.: Truly Agreed to and Finally Passed CCS for HCS for SB 186
Subject: Marion County: Circuit Clerk, Ex-Officio Recorder of Deed
Type: Original
Date: June 2, 2003

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on Other 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 2004	FY 2005	FY 2006
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials of the **Office of State Courts Administrator** assume no fiscal impact on the Courts.

In response to similar legislation the following counties issued these statements:

Officials of **Cass and Jefferson Counties** assume no fiscal impact.

Officials of the **Laclede County Clerks'** Office stated that they have separated the offices, and the fees provided by state law to run the offices is not sufficient. No fiscal impact statement was issued.

Oversight assumes that counties that are required to hold elections pursuant to this legislation would have some additional election cost due to printing, etc. Oversight assumes that cost would be insignificant because the election would be held at the same time as other officeholder's elections.

Marion County did not respond.

<u>FISCAL IMPACT - State Government</u>	FY 2004	FY 2005	FY 2006
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2004	FY 2005	FY 2006
	<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.

DESCRIPTION

Under current law, the Circuit Court of Marion County appoints the Circuit Clerk Ex Officio Recorder of Deeds. If the office is separated into District I Circuit Clerk and Recorder of Deeds, the court continues to appoint the District I Circuit Clerk.

This bill makes the position of Circuit Clerk Ex Officio Recorder of Deeds an elected position. The first election of the position will take place at the 2006 general election.

The bill clarifies that in counties where the Clerk of the Circuit Court and the Recorder of Deeds have been separated, the office of Recorder of Deeds will be elected at the next general election.

The bill also requires that the Circuit Clerk in the 6th and 7th judicial circuits must be appointed by a majority of the Circuit Judges and Associate Circuit Judges of the Circuit Court. The Clerk may be removed for cause by a majority of these judges.

The bill becomes effective on January 1, 2004. Elected Circuit Clerks in office at that time will continue to hold their office until the expiration of their elected terms

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

LR No. 0544-07
Bill No. Truly Agreed to and Finally Passed CCS for HCS for SB 186
Page 4 of 5
June 2, 2003

SOURCES OF INFORMATION

Office of State Courts Administrator
Jefferson County Commission
Cass County Commission
Laclede County Clerk

NOT RESPONDING

Marion County Officials



Mickey Wilson, CPA
Director
June 2, 2003

LR No. 0544-07
Bill No. Truly Agreed to and Finally Passed CCS for HCS for SB 186
Page 5 of 5
June 2, 2003

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