COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

# FISCAL NOTE

L.R. No.: 1986-01
Bill No.: Perfected SB 616
Subject: Business and Commerce; Corporations; Civil Procedure
Type: Original
Date: April 2, 2003

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## FISCAL SUMMARY

| ESTIMATED NET EFFECT ON GENERAL REVENUE FUND | | | |
|---|---|---|---|
| FUND AFFECTED | FY 2004 | FY 2005 | FY 2006 |
| None | | | |
| | | | |
| **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 |
| None | | | |
| | | | |
| **Total Estimated Net Effect on Other State Funds** | **$0** | **$0** | **$0** |

Numbers within parentheses: ( ) indicate costs or losses.
This fiscal note contains 4 pages.

| ESTIMATED NET EFFECT ON FEDERAL FUNDS | | | |
|---|---|---|---|
| FUND AFFECTED | FY 2004 | FY 2005 | FY 2006 |
| None | | | |
| | | | |
| **Total Estimated Net Effect on All 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 from the **Department of Economic Development** and the **Office of Secretary of State** assume the proposed legislation would have no fiscal impact on their agencies.

Officials from the **Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on the courts.

| FISCAL IMPACT - State Government | FY 2004 (10 Mo.) | FY 2005 | FY 2006 |
|---|---|---|---|
| | **$0** | **$0** | **$0** |

| FISCAL IMPACT - Local Government | FY 2004 (10 Mo.) | FY 2005 | FY 2006 |
|---|---|---|---|
| | **$0** | **$0** | **$0** |

FISCAL IMPACT - Small Business

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

DESCRIPTION

Subsection 4 of Section 355.176, RSMo, which provides where suits against non-profit corporations may be commenced, was repealed by the General Assembly in SB 768 (1996). The Missouri Supreme Court then found that bill to be in violation of the clear title requirement in the Constitution. Thus, the venue provisions for suits against non-profit corporations were never repealed and are still part of our laws. However, once SB 768 passed, the Revisor of Statutes removed that subsection from the printed version of the Revised Statutes. The Revisor is not authorized to re-publish a subsection of law that has been repealed by the legislature even if the Supreme Court has overturned that repeal. The proposed legislation would serve to have the section re-published in the RSMo, but will not cause any substantive change to the current law.

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

Office of State Courts Administrator
Department of Economic Development
Office of Secretary of State

Mickey Wilson

Mickey Wilson, CPA

BLG:LR:OD (12/02)

Director
April 2, 2003