

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

LR No.: 2494-10
Bill No.: Truly Agreed to and Finally Passed CCS for SS for SCS for HCS for HB 795,
972, 1128, & 1161
Subject: Counties:
Type: Original
Date: June 10, 2004

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
General Revenue	(Unknown)	(Unknown)	(Unknown)
Total Estimated Net Effect on General Revenue Fund	(Unknown)	(Unknown)	(Unknown)

**** Oversight assumes if the collection fee of 1% would not equal or be greater than the programming costs, provided a district were drawn that would require programming upgrades, then the fund balance would be negative.**

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 28 pages.

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Blind Pension Trust	(Unknown)	(Unknown)	(Unknown)
Missouri Public Health Services Fund	\$42,500	(\$955)	(\$31,916)
School District Trust	(Unknown)	(Unknown)	(Unknown)
Conservation	(Unknown)	(Unknown)	(Unknown)
Parks and Soil	(Unknown)	(Unknown)	(Unknown)
Total Estimated Net Effect on <u>All</u> State Funds*	(Unknown)	(Unknown)	(Unknown)

* The amount of loss in revenue to the State's Blind Pension Trust Fund is indeterminable, however, Oversight assumes any loss would be minimal and less than \$100,000 annually.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Local Government*	Unknown	Unknown	Unknown

FISCAL ANALYSIS

ASSUMPTION

Section 49.272 - Cass County and Greene County - County Ordinances, Fines:

In response to identical legislation (fiscal note # 3788-01), Officials of the **Office of State Courts Administrator** assume this proposal would have no fiscal impact on the Courts.

Oversight assumes this proposal is permissive, however, should the Cass or Greene County Commission, by ordinance, place penalties on violations of county ordinances, the fines allowed would go to the County's General Revenue Fund and would be used to pay the costs of enforcement of such rules, regulations, or ordinances. Oversight assumes no other State or local fiscal impact.

Section 49.650 - Counties power to adopt ordinances:

Oversight assumes this section is permissive, and only allows third classification County Commissions to enact certain ordinances. Oversight assumes no state or local fiscal impact.

Section 50.1110 - 50.1250 - Counties Employees' Retirement Fund - Member Beneficiaries:

The **Joint Committee on Public Employee Retirement (JCPER)** has reviewed this proposal and has determined an actuarial study is not needed under the provisions of section 105.660, subdivision (5).

Officials of the **County Employees' Retirement System** stated there would be some costs for the fund. These costs are for accumulated contributions that would be paid to member's beneficiaries when a member dies after at least eight years of service with no surviving spouse. Actuarial estimates there would be costs in '04 of \$15,000; in '05 \$17,000; and in '06 \$19,000.

Section 50.339 - County Treasurer - Salary

Oversight assumes this proposal would allow the Cape Girardeau County Salary Commission to equalize the County Treasurer's salary to an amount not greater than the amount set as the maximum compensation in Subdivision 1 of Subsection 1 of Section 50.343. **This proposal does not require the County Salary Commission to equalize the salary.** Oversight assumes that if the County Salary Commission would equalize the Treasurer's salary they would do so in

ASSUMPTION (continued)

2004, and at their own discretion.

Oversight assumes this proposal is enabling legislation and is discretionary. Oversight assumes this proposal would have no local fiscal impact unless the Salary Commission would equalize the Treasurer's salary. Oversight assumes no state or local fiscal impact.

Section 50.515 - Counties Administrative Service Fees:

Oversight assumes the provisions of this section are discretionary, and would have no total fiscal impact to the county. In counties of the third classification the County Commission would be allowed, but not required, to impose an administrative service fee that could not exceed 5% of the total budget of the county fund, for the purpose recouping administrative costs made on the county's General Revenue Fund. **Oversight** assumes this would be a transfer of moneys, in an equal amount, from one county fund to another, which would result in no total fiscal impact to local government.

Section 50.740 - Third and Fourth Class County Treasurers duties:

Oversight assumes this section is procedural and would have no fiscal impact. This section would allow certain County Treasurers to issue only payroll checks before the budget estimate is filed with the County Commission.

Section 52.269 - County Collector, Compensation:

Oversight assumes this proposal removes duplicate language and would have no fiscal impact.

Section 52.271 - County Collectors Staff Requirements:

Requires counties to allow the County Collector to "employ not less than one full-time Deputy", and "as many as necessary" to properly perform the duties of the office.

Oversight assumes that many counties have a full-time Deputy Collector and are allowed to employ part-time staff during peak times, for those counties there would be no cost. Oversight assumes this proposal requires one full-time Deputy and other staff as is deemed necessary. Oversight assumes for County Collectors that currently do not employ one full-time Deputy Collector there would be costs to those counties as would be costs for any additional staff.

ASSUMPTION (continued)

Oversight will show cost to certain counties as \$0 to (Unknown).

Section 59.331- Recorder of Deeds

Oversight assumes this section clarifies procedure when filing certain documents with the Recorder of Deeds. Oversight assumes no fiscal impact.

Section 64.520 and 64.805 - County Planning Commission

Oversight assumes this proposal is discretionary and would have no fiscal impact, unless the County Commission would raise the expense reimbursement rate that would be paid to members of Planning Commission. This proposal as written does not require County Commissions to increase the reimbursement rate, therefore, Oversight assumes any fiscal impact would be discretionary.

Section 64.825 County Subdivision Regulations, and Section 89.410 City Regulations:

Oversight assumes this section expands the type of bonding or surety which a county planning commission may accept as bond from developers of subdivisions. Oversight assumes no fiscal impact to local government.

Section 64.930 - Board Members Appointment to Sports Complex Authority:

Oversight assumes this section sets a time limit that certain County Commissions have to submit names to the Governor for appointment to serve on the sports complex authority. Oversight assumes no state or local fiscal impact.

Section 67.1401 - Community Improvement District:

In response to almost identical legislation of this session, (Fiscal Note # 4670-02) the following fiscal impact statements were received:

Officials from the **Department of Revenue (DOR)** assume this legislation expands the community improvement district law. **It may have an impact on the Division of Taxation by creating more districts for DOR to track.**

DOR assumes by allowing additional districts, additional programming to the existing MITS

ASSUMPTION (continued)

system will be required (692 hours for a cost of \$23,085) for each district that does not coincide with the boundaries of existing political subdivisions. If there are additional community improvement districts, they will create the need for additional staff to track and maintain the new districts created by this legislation (one Tax Processing Technician I).

DOR assumes for each district created using the same boundaries as existing political subdivisions, there would be no additional programming costs.

It is unknown how many additional districts may be formed as a result of this legislation. It is also unknown if there are additional districts, whether the boundaries would be the same as existing political subdivisions.

DOR assumes for purposes of the response, that there will be at least one new district with non conforming boundaries.

Officials from **Jefferson County** state the fiscal impact on this bill is potentially a positive one in that it will allow for additional tax revenue to pay for community improvement projects and possibly create additional revenues as a result of the improvements.

Jasper County officials assume no cost to counties from this legislation.

Officials from the **City of Kansas City** assume this legislation would not generate revenues or savings and would not have any cost or loss to their agency.

Oversight notes that any sales tax proposed would have to be approved by the voters of the improvement districts. **Oversight** assumes that if a district which does not comprise a county or municipality imposes a sales tax, then DOR officials could request additional resources from the General Assembly in order to administer the sales tax.

Section 67.320 - Jefferson County Municipal Court:

Oversight assumes this section is permissive and would have no fiscal impact to Jefferson County, unless the County Commission, at their discretion, would establish a county municipal court. The county would have the cost of staffing, maintaining and administering the court and fines would continue going to local schools within the county.. This proposal does not require the Jefferson County Commission to establish a county municipal court system. **Oversight** assumes no fiscal impact

ASSUMPTION (continued)

Officials from the **Office of State Courts Administrator (CTS)** state the proposed legislation would allow Jefferson County to establish a municipal court to prosecute ordinance violations.

The court would have jurisdiction over county ordinances and municipal ordinances if the municipality contracts with the court to prosecute municipal violations. The county may adopt orders with penal provisions consistent with state law but only in the areas of traffic violations, solid waste management, and animal control.

CTS states ordinance violations are the least time consuming in terms of clerical workload, so we would not anticipate a significant decrease in the workload of the circuit court. CTS is unable, at this time, to estimate the impact on the costs and fees assessed in each case. At present, clerk fees are not assessed in county ordinance cases. Court fees would be assessed depending on each individual statute.

CTS does not anticipate any significant cost or savings to the state as a result of this proposal.

Section 67.793 and 67.799 - Regional Recreation District:

Officials from the **Department of Economic Development** assume this proposal does not fiscally impact their agency.

Officials of the **Department of Revenue** estimates to implement Section 67.799, the department would require 692 hours of programming or \$23,085 to allow for partial counties to enact regional recreation districts.

Certain counties would realize the cost of an election, which is required to establish a district, and the district would realize income generated by the sales tax, and would have costs related to the operation and maintenance of the district. All amounts of income and costs are indeterminable.

Section 67.1360 Transient Guest Tax - City of Herman, and Dent County

In response to almost identical legislation (fiscal note # 4260-01) the following responses were issued:

Officials of the **Department of Economic Development - Division of Tourism** assume no fiscal impact.

ASSUMPTION (continued)

Officials of the **Department of Revenue** assume no fiscal impact.

Oversight assume this proposal is permissive and before local government would realize fiscal impact, the governing body of Dent County or the City of Herman would have to receive voter approval. Oversight will show fiscal impact as \$0.

Section 67.1706 and 67.1754 - Metropolitan Districts:

Officials of the **State Auditor's Office** assume no fiscal impact.

Officials of **St. Louis County** assume no fiscal impact.

Officials of the **Department of Conservation** assume no fiscal impact.

Officials of the **Department of Natural Resources** assume no fiscal impact.

Section 67.2000 - Exhibition Center and Recreation Facility Act:

DOR officials stated that assume the provisions of **Section 67.2000** (Exhibition Center and Recreational Facility Act) would have fiscal impact to their department if a district were created that would encompass only a portion of the county. Officials estimate they would have costs of \$23,170 for 692 hours of programming.

Oversight will show fiscal impact to the **Department of Revenue - Division of Taxation** as \$0 to \$23,170. Oversight assumes if voters would **not** approve the district, there would be no fiscal impact, or if boundaries would be drawn to existing boundaries there would be no fiscal impact. If a county or city were broken down into areas, then fiscal impact for programming changes could be as much as estimated by the DOR. **Fiscal impact will be show as \$0 to \$23,170.**

Oversight assumes **Section 67.2000 of this proposal is permissive** and would require voter approval before any fiscal impact would be realized by the state or the new district. If the voters would approve the creation of an Exhibition Center and Recreation Facility District and approve a sales tax to fund the district, the Department of Revenue would collect the sales tax and would withhold a 1% collection fee. **The collection fee would be deposited in the State's General Revenue Fund.**

ASSUMPTION (continued)

A district, if voters approved a sales tax, would realize income generated by the sales tax, and would have costs related to the administration, operation and maintenance of the district. All amounts of income and costs are indeterminable.

Sections 67.2500 - 67.2530 - St. Charles Theater, Cultural Arts, and Entertainment District:

In response to identical legislation (fiscal note # 2861-04), Officials of the Department of Revenue, Department of Economic Development, Division of Tourism, and the State Courts Administrator assume no fiscal impact to their agencies.

Officials of the **Department of Transportation (MoDOT)** assume this legislation would allow Theater, Cultural Arts and Entertainment Districts to be formed by voters. Such districts would be political subdivisions of the state. Voters may approve a sales tax to fund the purposes of the district. Such purposes include, the funding, promoting and providing of educational, civic, musical, theatrical, cultural, and other entertainment events as well as the funding of the design, construction and improvement of public improvements and **transportation projects** in the district.

The number of Entertainment Districts that would be formed, the number that would want transportation improvements and the number of transportation improvements that may impact the state highway system is unknown. **If the districts do not allocate funding for state transportation projects, this legislation would have no fiscal impact to MoDOT. However, if the districts do allocate funding for state transportation projects, this legislation would have a positive unknown fiscal impact.**

Section 70.225 - Emergency Dispatching System Workers- Retirement:

Oversight assumes no state or local fiscal impact.

137.100 - Bi-State - Tax Exemption- Leased Equipment:

Officials from the **Department of Revenue - Taxation Division, and the State Tax Commission** and the **Department of Economic Development** assume this proposal would result in no impact on their organizations.

ASSUMPTION (continued)

Officials from the **Bi-State Development Agency** (Bi-State) assume this proposal would allow Bi-State to participate in the specific asset financing transactions defined in the proposal. Bi-State officials stated their organization would not enter into such transactions unless there was a net benefit to Bi-State.

Oversight assumes that this proposal would exempt from sales and property taxation those assets transferred to third parties as a result of certain structured financing agreements. Oversight notes the existing statutory exemption exempts from taxation only assets owned by, and sales to, the interstate compact agencies. Oversight assumes the proposal would result in unknown reductions in local sales and property tax collections for political subdivisions where otherwise taxable property related to interstate compact agencies is located.

In addition, Oversight assumes there could be an unknown negative impact to the Blind Pension Fund from reduced property tax collections, and to the General Revenue Fund, School District Trust Fund, Conservation Fund, and Parks and Soils Fund from reduced sales tax collections. The first fiscal impact of this proposal could be for sales taxes collected in FY 2005, and for 2005 property taxes collected in FY 2006.

Section 137.298 - Collectors, Personal Property Taxes:

In response to similar legislation of this session (fiscal note 4709-02), which affected only Kansas City the following responses were made. This proposal would affect any city and the city of St. Louis

Officials from the **Department of Revenue** assume this proposal would have no impact on their organization.

Officials from the **State Tax Commission** state this proposal would have no impact on their organization but could create additional administrative duties for county collectors.

Officials from the **City of Kansas City** did not respond to our request for information.

Oversight assumes since the language in this proposal is permissive, political subdivisions would implement these procedures if the resulting revenues would exceed expected costs.

ASSUMPTION (continued)

Section 137.720 - County Assessment Fund

In response to almost identical legislation of this session, the **State Tax Commission** stated that this section changes the percentage of ad valorem tax collections to be put in the County's Assessment Fund. This proposal would transfer local funds from one local political subdivision to another local political subdivision. Officials stated the amount of funds that will be transferred from the collection of taxes to the County Assessment Fund is \$3,466,901. A breakdown by county is available in the Office of Oversight.

Jasper County officials stated that this would be a revenue enhancer to counties becoming a county of the first class after September 1, 1997.

Officials of the **Kansas City Manager's Office** stated that this proposal would impose an additional 1/8% fee to be paid by the City each year. Officials estimate cost to the City at \$100,000.

Oversight assumes that any additional income would be withheld from taxing authorities and the State's Blind Pension Trust Fund. The amount of withholdings on a statewide basis, from Section 137.720, is indeterminable. Oversight will show Income to counties Assessment Fund as an Unknown amount, and an equal Loss of Revenue to taxing authorities. Oversight will show an estimated minimal Loss of Revenue to the State's Blind Pension Fund. The amount of loss is indeterminable. Cost on a statewide basis to taxing authorities would exceed \$100,000 annually.

Section 138.011 - County Board of Equalization, Membership Qualifications:

Officials of the **State Tax Commission** assume no fiscal impact to the Commission.

Officials of the **Kansas City Manager's Office** assume no fiscal impact.

Officials of the **Jasper County Commission** assume no fiscal impact.

ASSUMPTION (continued)

Sections 144.757 and 144.759 - Economic Development, Taxes, Political Subdivisions:

Officials of the **Department of Revenue** assume no fiscal impact to the Division of Taxation.

Officials of the **Department of Economic Development** assume no fiscal impact.

Officials of the **Cities of St. Louis, Springfield, Jasper County and Webster County** assume no fiscal impact.

Oversight assumes this proposal adds other items on which these monies can be spent and abolishes the Community Comeback Act. Oversight assumes no fiscal impact.

Section 190.306 - Christian County, Emergency Telephone Service:

Oversight assumes the provision of this Section is procedural and would have no local fiscal impact.

Section 193.265 - Missouri Public Health Services Fund:

In response to almost identical legislation (fiscal note 4322-01) of this session, the following fiscal impact statements were made:

Based on 2003 birth and death certified and research copies, DOH estimates income of approximately \$315,000 per year from an average range of 105,000 records per year multiplied by \$3 fee that would go to the Missouri Public Health Services Fund. This proposal would make 90 year old birth records and 50 year old death records available.

The DOH would need to purchase web-based software for processing birth and death records. DOH estimates this software will cost approximately \$1,100,000 and will be paid for over a period of 5 years.

The system will be modified to conform to the state's e-Government standards. A Computer Information Tech Specialist II would be hired midway through the second year to act as the program manager.

Oversight has, for fiscal note purposes only, changed the starting salary for the Computer Information Tech Specialist II to correspond to the second step above minimum for comparable

ASSUMPTION (continued)

positions in the state's merit system pay grid. This decision reflects a study of actual starting salaries for new state employees for a six month period and the policy of the Oversight Subcommittee of the Joint Committee on Legislative Research.

DOH states local public health agencies will have an increase in revenue. Based on an estimate of 583,333 records issued annually, local public health agencies will show an increase in revenue of \$1,458,333 in the first year and approximately \$1,750,000 in subsequent years.

Section 229.340 - Right-of-Way Special Use Permits:

Officials of the **Department of Transportation** assume no fiscal impact.

Officials of the **Jasper County Commission** stated this proposal would be positive in that it would allow counties to recoup right-of-way management costs.

Oversight assumes the special permit fee maximum under this proposal has been increased from three dollars to seven dollars per application. Oversight will show an increase in income to **County's Special Fund**. On a statewide basis it is not possible to determine the amount of additional income that would be generated by the increase in the maximum that could be charged per application. The County Commission would have to order an increase in application fees before fiscal impact would be realized.

Section 245.015 - 246.305 - St. Charles County - Levee Districts:

In response to identical legislation (Fiscal Note # 4165-03) the following statements were issued:

Officials of the **Department of Natural Resources, Department of Transportation, and Department of Conservation** assume no fiscal impact.

Oversight assumes this proposal is procedural and would add no new duties, or requires any additional expenditure of revenues, therefore, Oversight assumes no fiscal impact to levee districts.

Section 260.831 - Landfill Fees, County Commissions

Oversight assumes this section allows County Commissions as well as Industrial Development

ASSUMPTION (continued)

Authorities to use landfill fees for economic development within the county. Currently only Industrial Development Authorities are allowed to use the fees. **Oversight** assumes no state or local fiscal impact from the provisions of this section.

Section 304.010 - County Roads, Speed Limits

In response to almost identical legislation (fiscal note 3424-01) Officials of the **Department of Public Safety - State Highway Patrol** assume no fiscal impact.

Officials of the **Department of Transportation** assume no fiscal impact.

Oversight assume this is enabling legislation, and as written, would have no fiscal impact, unless the County's governing body would elect to initiate the regulation of county road speeds as authorized by this proposal.

Section 321.554 and 321.556- Fire and Ambulance Districts Taxation:

Oversight assume these sections exempts several additional political subdivisions to the provisions of these sections concerning property tax rollbacks and sales tax collections. Oversight assumes no fiscal impact.

Section 389.610- Highways, Railroad Crossings:

Officials of the **Department of Transportation** stated the requirements of this section is part of an existing process, and would have no fiscal impact.

Section 393.760 - Municipal Utility Bonds:

In response to almost identical legislation (fiscal note 3185-01) the following fiscal impact statements were made:

Officials of the **Department of Natural Resources** assume no fiscal impact.

Officials of the **Department of Economic Development- Public Service Commission** and **Office of Public Counsel** assume no fiscal impact.

Officials of the **City of Florissant** assume no fiscal impact.

ASSUMPTION (continued)

Officials of the **Little Blue Valley Sewer District** assume no fiscal impact to the District.

Officials of the **Platte County - Planning and Zoning Commission** assume no fiscal impact.

Officials of the **Office of Kansas City Manager** stated that for cities that are members of a Joint Municipal Utility Commission who desired to issue a bond would realize some savings from election costs. Officials stated they would realize some cost of publishing a notice of a hearing. Costs for publishing notice of a hearing would be minimal. Savings that could be realized from not holding an election in Kansas City could be as much as \$300,000. Cost would depend on when the election is held.

Section 475.275 : Jackson County Conservator

In response to identical legislation (SB 1243) the following fiscal impact statements were issued:

Officials from the **Office of State Courts Administrator** assume this proposal would not fiscally impact their agency.

Officials from **Jackson County** did not respond to our request for fiscal impact. **Oversight** assumes an unknown costs for public administrator audits to be paid for by Jackson County.

Section 479.020 - Kansas City Municipal Judges

Oversight assumes there would be no fiscal impact from the changes made in this section.

488.426 and 488.429 - Franklin County Circuit Court Surcharge:

Oversight assumes this Section would allow the Franklin County Circuit Court Judges, en banc, to charge a surcharge of ten dollars on civil cases. Certain types of cases would be exempt. The Judges would be in control of the fund. Monies could be spent on support of the County's law library. Section 488.29 allows any county, other than a county participating in the nonpartisan court plan, to use these monies on courtroom renovation and technology enhancement or to retire debt service on county bonds used for courtroom renovation or technology enhancement. This section has an expiration date of December 31, 2014.

ASSUMPTION (continued)

Oversight assumes that if the Franklin County Circuit Court would impose the \$10 surcharge there would be an unknown amount of revenue generated. The amount of expenditures made from the special court fund is unknown, however, Oversight assume costs would not exceed revenues in a given year. Oversight assumes the fiscal impact would be \$0 or a positive unknown. For the purposes of this fiscal note fiscal impact will be shown as \$0.

Oversight assume fiscal impact to counties from the changes made in Section 488.429 would allow existing funds to be spent on additional projects. Oversight assumes no fiscal impact to counties from this Section.

Section 493.050 - Certain Newspapers Qualifications to Publish Legal and Public Notices:

Oversight assumes no state or local fiscal impact from the provisions of this section.

Section 537.550: Political Subdivisions, Fairs, Liability:

In response to identical legislation (HB 762) the following fiscal impact statements were issued:

Officials of the **Office of Attorney General** assume no fiscal impact.

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

Officials of the **Department of Agriculture** assume no fiscal impact.

Officials of the **Cities of Ozark** and **Boonville** assume no fiscal impact.

Oversight assumes certain cities and counties would have insignificant cost in printing and posting signs. **Oversight** assumes there could be some savings from not having to purchase liability insurance. **For purposes of this fiscal note Oversight assumes no fiscal impact.**

Section 644.032 - Sales Tax Exemption On Sales of Food In St. Louis County:

Officials of the **Department of Revenue** assume the department would have to notify vendors of this change, and would have 173 hours of programming costs of \$5,771.

ASSUMPTION (continued)

Officials of the **Office of the Director of Administration** for St. Louis County stated that currently the county has no sales taxes (the tax in this section is for storm water control) that would be affected by this proposal. Officials stated that any future sales tax would generate 12% less revenue if food were exempt from a sales tax.

Section 1 - County Engineer - Qualifications

Oversight assumes this section clarifies the qualifications and authority of the County Commission to appoint a person for the position of County Highway Engineer. Oversight assumes no state or local fiscal impact.

Section 2- Board of Fund Commissioners - Leasehold Revenue Bonds:

Officials of the **Office of Administration** did not respond to this section. therefore, Oversight did speak with officials of the Office of Administration and were told that staff for the Board of Fund Commissioners had been taken away. Officials did not believe they could do what is required of them without staff. **Oversight assumes there could be some costs associated with this section for staff. Oversight assumes \$0 to unknown costs that would be less than \$100,000 annually.**

<u>FISCAL IMPACT - State Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
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GENERAL REVENUE FUND

Income to Department of Revenue 1% sales tax collection fee. Sec. 67.2000	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>
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Potential Cost to Department of Revenue from changes in Section 67.799 and 67.2000 for programming costs	<u>\$0 to (\$46,340)</u>	<u>\$0</u>	<u>\$0</u>
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Cost to Department of Revenue programming costs (Section 644.032)	<u>(\$5,771)</u>	<u>\$0</u>	<u>\$0</u>
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Revenue reduction

Sales Taxes (Sections 137.100, 144.030, and 144.615)	(Unknown)	(Unknown)	(Unknown)
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Costs to Office of Administration
for additional staff (Section 2)

\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
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ESTIMATED NET EFFECT TO GENERAL REVENUE FUND	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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BLIND PENSION TRUST FUND

<u>Loss of Revenue</u> to Blind Pension Trust Fund (Sections 137.720 and 137.100, 144.030, and 144.615)	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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ESTIMATED NET EFFECT TO BLIND PENSION TRUST FUND	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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CONSERVATION FUND

Revenue reduction

Sales Taxes (137.100, 144.030, 144,615)	(Unknown)	(Unknown)	(Unknown)
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ESTIMATED NET EFFECT ON CONSERVATION FUND	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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PARKS AND SOIL FUNDS

Revenue reduction

Sales Taxes (137.100, 144.030, 144.615)	(Unknown)	(Unknown)	(Unknown)
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ESTIMATED NET EFFECT ON PARKS AND SOIL FUNDS	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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SCHOOL DISTRICT TRUST FUND

Revenue reduction

Sales Taxes (137.100, 144.030, 144.615)	(Unknown)	(Unknown)	(Unknown)
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**ESTIMATED NET EFFECT ON
SCHOOL DISTRICT TRUST FUND**

<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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**MISSOURI PUBLIC HEALTH
SERVICES FUND (Section 193.265)**

**Income - Department of Health and
Senior Services**

Vital record fee	\$262,500	\$315,000	\$315,000
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**Costs - Department of Health and Senior
Services**

Personal Service (1 FTE)	\$0	(\$22,208)	(\$45,527)
Fringe Benefits	\$0	(\$9,194)	(\$18,848)
Expense and Equipment	<u>(\$220,000)</u>	<u>(\$284,553)</u>	<u>(\$282,541)</u>
Total <u>Costs</u> - Department of Health and Senior Services	<u>(\$220,000)</u>	<u>(\$315,955)</u>	<u>(\$346,916)</u>

**ESTIMATED NET EFFECT ON
MISSOURI PUBLIC HEALTH
SERVICES FUND**

<u>\$42,500</u>	<u>(\$955)</u>	<u>(\$31,916)</u>
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FISCAL IMPACT - Local Government

FY 2005 (10 Mo.)	FY 2006	FY 2007
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JACKSON COUNTY (Section 475.275)

**Costs - annual audit for public
administrator**

<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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**ESTIMATED NET EFFECT ON
JACKSON COUNTY**

<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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**CASS COUNTY GENERAL
REVENUE FUND**

Income to County General Revenue Fund
from fines

Unknown Unknown Unknown

Cost to County General Revenue Fund
for Enforcement of violations

(Unknown) (Unknown) (Unknown)

**ESTIMATED NET EFFECT TO
CASS COUNTY GENERAL
REVENUE FUND (Section 49.272)**

\$0 \$0 \$0

CERTAIN CITIES/COUNTIES

Income - Cities/Counties

Increased Sale/Use Tax
(Section 67.1401)

Unknown Unknown Unknown

**TOTAL ESTIMATED NET EFFECT
ON CERTAIN CITIES/COUNTIES***

Unknown Unknown Unknown

**CERTAIN COUNTIES GENERAL
REVENUE FUND (Section 52.271)**

Cost to Certain Counties

for County Collector additional staff
(Section 52.271)

**\$0 to \$0 to \$0 to
(Unknown) (Unknown) (Unknown)**

**EXHIBITION CENTER AND
RECREATION FACILITY
DISTRICT FUND (Section 67.2000)**

Income to Exhibition Center and

Recreation Facility District

from voter approved sales tax

\$0 or Unknown \$0 or Unknown \$0 or Unknown

Cost to Exhibition Center and Recreation

Facility District

from operation and maintenance of the
dist, election cost, etc.

**\$0 or \$0 or \$0 or
(Unknown) (Unknown) (Unknown)**

ESTIMATED NET EFFECT TO EXHIBITION AND RECREATION FACILITY DISTRICT FUND \$0 \$0 \$0

COUNTY OF ST. CHARLES (Sections 67.2500 etal.)

Income to Theater, Cultural Arts, and Entertainment District Fund from local sales tax Unknown Unknown Unknown

Cost to Entertainment District for programs, administration (Unknown) (Unknown) (Unknown)

ESTIMATED NET EFFECT TO ST. CHARLES COUNTY SPECIAL FUND \$0 \$0 \$0

COUNTIES ASSESSMENT FUND

Income to County Assessment Funds additional withholdings from taxing authorities (Sections 137.720) \$3,466,901 \$3,466,901 \$3,466,901

LOCAL TAXING AUTHORITIES

Loss of Revenue to Taxing Authorities from additional withholdings for County Assessment Funds (Sections 137.720) (\$3,466,901) (\$3,466,901) (\$3,466,901)

CERTAIN POLITICAL SUBDIVISIONS

DENT COUNTY and CITY OF HERMAN TRANSIENT GUEST TAX FUND (Section 67.1360)

Income to Dent County or City of
Herman Transient Guest Tax Tourism
Fund

from Transient Guest Tax	Unknown	Unknown	Unknown
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Cost to Dent County or City of Herman
Transient Guest Tax Tourism Fund
from promoting tourism

(Unknown)	(Unknown)	(Unknown)
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**ESTIMATED NET EFFECT TO
DENT COUNTY or CITY OF
HERMAN TRANSIENT GUEST TAX
TOURISM FUND**

<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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**COUNTY'S SPECIAL ROAD AND
BRIDGE FUND (Section 229.340)**

Income to County Special Road Fund
from increase in special use permit fees

Unknown	Unknown	Unknown
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Cost to County Special Road Fund
right- of-way management costs.

(Unknown)	(Unknown)	(Unknown)
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**ESTIMATED NET EFFECT TO
LOCAL GOVERNMENT (Section
229.340)**

<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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**LOCAL PUBLIC HEALTH
AGENCIES (Section 193.265)**

Income - Local public health agencies
Vital Records fees

<u>\$1,458,333</u>	<u>\$1,750,000</u>	<u>\$1,750,000</u>
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**ESTIMATED NET EFFECT ON
LOCAL FUNDS**

<u>\$1,458,333</u>	<u>\$1,750,000</u>	<u>\$1,750,000</u>
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POLITICAL SUBDIVISIONS

Revenue reduction

Property and Sales Taxes (137.100, 144.030, and 144.615)	(Unknown)	(Unknown)	(Unknown)
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ESTIMATED NET EFFECT ON POLITICAL SUBDIVISIONS	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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**FRANKLIN COUNTY LAW
LIBRARY FUND**

<u>Income</u> to Franklin County Law Library Fund (Section 488.426)	Unknown	Unknown	Unknown
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<u>Cost</u> to Franklin County Law Library Fund	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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ESTIMATED NET EFFECT TO FRANKLIN COUNTY LAW LIBRARY FUND (Section 488.426)	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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**CERTAIN POLITICAL
SUBDIVISIONS**

<u>Savings</u> to Certain Political Subdivisions election costs (section 393.760)	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
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ESTIMATED NET EFFECT TO LOCAL GOVERNMENT *	Unknown	Unknown	Unknown
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*** Negative net effect impact is created by Section 52.271, additional staff for County Collectors, and by Section 475.275 which is an annual audit of the Jackson County Public Administrator and Section 137.100 etal. which exempts taxes under certain circumstances on leased property for bi-State agencies. Oversight assumes costs on a statewide basis would exceed \$100,000 for the provisions of Section 52.271.**

FISCAL IMPACT - Small Business

Small business located in any county or city that would receive voter approval to impose a sales tax would have fiscal or administrative impact from collection and administration of the tax.

DESCRIPTION

This bill changes the laws regarding county government. In its main provisions, the bill:

- (1) Authorizes the commissions in Cass and Greene counties to impose a civil fine of not more than \$1,000 for misdemeanor county ordinance violations;
- (2) Authorizes noncharter counties to adopt ordinances related to its property, affairs, and local government, including protection of people and the environment from the risks of methamphetamine but excluding regulation of the sale or display of drugs with certain active ingredients. No county commission may enact an ordinance with regard to agricultural operations, but any zoning adopted by a county prior to the bill's effective date is exempt from this provision;
- (3) Allows the salary commission of Cape Girardeau County to determine in 2004 whether to equalize the base salary of the county treasurer;
- (4) Allows members of the Local Government Employees Retirement System to designate a beneficiary when there is no spouse. The beneficiary would receive a refund of the member's contributions under Section 50.1040 RSMo.
- (5) Amends law regarding Regional Recreation Districts, and allows sales tax to be levied with voter approval in partial areas of the district.
- (6) Allows county collectors to employ at least one full-time deputy and as many as necessary to perform the duties of the office;
- (7) Increases the maximum reimbursement rate for members of county planning commissions in second and third classification counties and counties with alternative county planning and zoning;
- (8) Allows county planning commissions to accept other forms of security besides surety bonds in lieu of the full completion of required infrastructure improvements in subdivisions prior to the plat being recorded;
- (9) States that if a county commission has not submitted a panel of names to the Governor within 30 days of the expiration of the county sports complex authority commissioner's term, the Governor will immediately make an appointment with the advice and consent of the Senate. If the Governor does not appoint a replacement, no commissioner will serve beyond the continuation of his or her term;
- (10) Allows Jefferson County to establish county municipal courts and adopt orders with penal provisions in the areas of traffic violations, solid waste management, and animal control;
- (11) Enables Dent County and the City of Hermann to enact a transient guest tax;

DESCRIPTION continued

(12) Allows citizens of Buchanan, Newton, Jasper, Wright, Camden, Miller, Jefferson, Morgan, Greene, and Cole counties to petition to create an exhibition center and recreation facility district. The district may submit to its voters a sales tax of one-quarter of 1% to fund the district;

(13) Allows St. Charles County to establish a theater, cultural arts, and entertainment district and assess a sales tax of up to one-half of 1% to fund the district;

(14) Provides that a centralized emergency dispatching system created by a joint municipal agreement within St. Louis County will be considered a political subdivision as it relates to Sections 70.600 - 70.755, RSMo, regarding the retirement of officers and employees of political subdivisions;

(15) Requires political subdivisions to accept a letter of credit from a developer as security for the completion of infrastructure improvements in subdivisions. The bill exempts Kansas City from this provision;

(16) Exempts transfers of certain property by the Bi-State Metropolitan Development District and the Kansas City Area Transportation District Authority from real and personal property taxes and state and local sales and use taxes. The bill adds to the exemptions all sales made by or to an organization that has been granted tax exempt status under federal law. This section contains an emergency clause;

(17) Allows, through intergovernmental agreements, the collection of traffic fines, parking fines, towing and vehicle immobilization fees, and the penalties and court costs associated with those fines and fees at the same time as the collection of a taxpayer's personal property taxes;

(18) Increases the percentage of property tax collections that are deposited in the county assessment fund under certain conditions. An additional one-eighth of 1%, not to exceed \$100,000 in any year, will be deducted in charter and first classification counties and the City of St. Louis, and an additional one-quarter of 1%, not to exceed \$50,000 in any year, in all other counties. This section will become effective on January 1, 2005, and expires on December 31, 2009;

(19) Prohibits any municipal official, member of a school board, or an employee of a school district from serving on a county board of equalization in counties with a charter form of government;

(20) Repeals the Community Comeback Act. The local use tax in St. Louis County, which is used to fund the program, will be used for economic development and enhancing local government in St. Louis County;

(21) Clarifies that a municipality in Christian County may continue to operate an emergency telephone service in the event the county also establishes a service or has been reclassified into a

DESCRIPTION continued

higher classification;

(22) Revises provisions pertaining to vital records. The bill:

(a) Increases from \$10 to \$13 the fees charged for the issuance of a certification or copy of a death record by a state or local registrar and increases from \$10 to \$15 the fees charged for the issuance of a certification or copy of a birth, marriage, divorce, or fetal death record;

(b) Requires the Director of the Department of Revenue to credit \$4 to the General Revenue Fund; \$5 to the Children's Trust Fund; \$3-\$5 to the Missouri Public Health Services Fund; and \$1 to the Endowed Care Cemetery Audit Fund from each vital record fee collected, effective August 28, 2004; and

(c) Requires that moneys in the Missouri Public Health Services Fund be used to automate and improve the vital records system by December 31, 2009;

(23) Increases the cap from \$3 to \$7 for special use permits in certain counties;

(24) Allows the formation of a levee district in any city, town, or village that is not located in St. Charles County. However, third and fourth class cities in St. Charles County are allowed to form levee districts. Certain levee districts in St. Louis County are authorized to construct and maintain waterlines. Under current law, levee districts located within St. Louis County are allowed an alternative procedure with respect to the apportionment of installment taxes. The bill extends this procedure to all levee districts;

(25) Allows county commissions and industrial development authorities to use landfill fees for economic development within the county;

(26) Allows any second, third, or fourth classification county to set by ordinance countywide speed limits on roads within unincorporated areas of the county, with the maximum speed limit of 55 miles per hour if there are signs posted and 50 miles per hours if there are no signs;

(27) Exempts Greene, Platte, Clay, St. Louis, and St. Charles counties from the requirements providing for an adjustment in the total operating levy of the district based on the sales tax revenue and, upon voter petition, repealing a sales tax for those purposes;

(28) Requires the Highways and Transportation Commission to issue an order authorizing removal of a railroad crossing within 30 days whenever an authority legally closes or vacates a road which has a crossing;

(29) Provides an alternative method for issuing certain utilities revenue bonds;

(30) Requires the Jackson County public administrator, when serving as conservator and using pooled accounts for conservatorship funds, to have the pooled accounts audited at least annually by an independent certified public accountant to be paid by the county. When the accountant's

DESCRIPTION continued

audit report is filed with the court, the written certification by a depository officer will not be required;

(31) Subjects Kansas City municipal judges and court personnel to court management and case docketing by the presiding judge and the rules of the circuit court;

(32) Allows Franklin County to impose an additional fee of \$10 when filing a civil case unless it concerns adoption or is in small claims court and allows any county other than a county on the nonpartisan court plan to use money collected for the maintenance and upkeep of a law library to pay for courtroom renovation and technology as well as for debt service on bonds issued by the county for the projects;

(33) Allows required legal publications in a newspaper that has only been published for two years if it is the only newspaper serving a county. This section contains an emergency clause;

(34) Relieves cities and villages with fewer than 10,000 inhabitants of liability for the injury or death of any person attending any fair, festival, or similar gathering organized or sponsored by the municipality;

(35) Prohibits the sales tax authorized for funding storm water control or local parks from being collected on food in St. Louis County; and

(36) Provides that the Board of Fund Commissioners determine whether any governmental entity has sufficient fund balances to redeem leasehold revenue bonds obligated pursuant to a federal court desegregation action. If sufficient fund balances exist, the State Board of Education will certify that no amount is needed by the entity to repay the bonds

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 Public Safety - State Highway Patrol

Department of Transportation

State Tax Commission

Kansas City Manager

Jasper County Commission

Office of Administration

Office of Secretary of State

Office of State Court Administrator

Office of Attorney General

RWB:LR:OD (12/02)

LR No. 2494-10

Bill No. Truly Agreed to and Finally Passed CCS for SS for SCS for HCS for HB 795, 972, 1128, & 1161

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SOURCES OF INFORMATION continued

Department of Agriculture

City of Ozark

City of Boonville

Director of Administration - St. Louis County

NOT RESPONDING

None



Mickey Wilson, CPA

Director

June 10, 2004