

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3802-01
Bill No.: Truly Agreed To and Finally Passed HB 1643
Subject: Marriage and Divorce; County Officials; Public Assistance
Type: Original
Date: June 3, 2010

Bill Summary: This proposal modifies provisions relating to the recording of fees.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on <u>Other</u> 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 2011	FY 2012	FY 2013
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on FTE	0	0	0

- Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).
- Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Local Government	(Less than \$1,000) to Unknown	Unknown greater than \$1,000	Unknown greater than \$1,000

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Health and Senior Services, Office of Secretary of State, Greene County Recorder of Deeds' Office** and the **Department of Social Services** each assume there will be no fiscal impact to their respective agencies.

Section 59.003

Officials from St. Charles Recorder of Deeds' Office did not respond to **Oversight's** request for fiscal impact; however, in response to similar legislation filed this session (HB 1959, 4078-01), officials from **St. Charles Recorder of Deeds' Office** stated this bill would benefit many counties who have been losing general fund copy revenue to the Secretary of State's Office.

County Recorders have had the Secretary of State microfilm and store their records because they cannot perform this function for themselves or pay a private vendor to perform it for them. The Secretary of State has been selling copies of the County Recorder's documents, at cost, to the Title Companies and other interested businesses. This causes those counties to suffer additional revenue losses as a result. This new statute would require the public to obtain their copies from the actual custodian of those records, not from an entity who is merely storing the records for the custodian.

Oversight assumes this proposal would have positive fiscal benefits for local governments; therefore, Oversight will show a fiscal impact to local governments to be zero or a positive unknown.

Sections 59.318 & 193.265

Officials from **Jackson County Recorder of Deeds (JCRD)** state software modification/expenditures would be required for the inclusion of an application check-off box for donations when issuing marriage licenses, creation of a financial tracking module in order to accept/process financial donations, and the creation of a modified printed receipt acknowledging when such donations are processed. Although initially estimated at \$5000 - \$10,000 to Jackson County, software vendor will absorb majority of costs due to a contract provision whereby passage of laws/regulations that affect product are covered at no cost to the client.

ASSUMPTION (continued)

JCRD estimates the cost to implement the program would be approximately \$500 to \$1,000 for FY 2011.

JCRD state with the passage of HB 1643, estimated revenue for the County Homeless Fund for FY 2011 to be between \$500 and \$5,000, FY 2012 and FY 2013 to be approximately \$1,000 to \$5,000 per fiscal year.

<u>FISCAL IMPACT - State Government</u>	FY 2011 (10 Mo.)	FY 2012	FY 2013
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2011 (10 Mo.)	FY 2012	FY 2013

LOCAL GOVERNMENT FUNDS

Income - Counties (§59.003)

Request for copies of records filed at the recorder of deeds in which the record was originally recorded	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
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Income - Jackson County
 (§§59.318 & 193.265)

Collection of a \$1 donation in addition to the fees charge for marriage and birth records to assist homeless families	\$500 to \$5,000	\$1000 to \$5,000	\$1,000 to \$5,000
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Costs - Jackson County

Implementation of the Housing Commission Fund to assist homeless families	<u>(\$500 to \$1,000)</u>	<u>\$0</u>	<u>\$0</u>
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ESTIMATED NET EFFECT ON LOCAL GOVERNMENTS

<u>(Less than \$1,000) to Unknown</u>	<u>Unknown greater than \$1,000</u>	<u>Unknown greater than \$1,000</u>
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FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

Section 59.003

This proposal requires requests filed by the recorder of deeds dated after December 31, 1969, to be made to the office of the recorder of does in which the record was originally recorded.

Sections 59.318 & 193.265

Authorizes the recorder of deeds in Jackson County to collect a \$1 donation over and above any required fees charged for recording or providing a certified copy of a marriage license or birth certificate. Moneys collected will be deposited into the housing resource commission fund to assist homeless families and provide financial assistance to organizations addressing homelessness in the county. The recorder must provide a check-off box for the donation on any required form.

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 Health and Senior Services
Department of Social Services
Office of Secretary of State
Jackson County Recorder of Deeds
St. Charles County Recorder of Deeds
Greene County Recorder of Deeds



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Director
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