

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0599-02
Bill No.: HB 255
Subject: Agriculture and Animals; Fees
Type: Original
Date: February 1, 2013

Bill Summary: This proposal modifies existing language regarding animal shelters and fees.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Animal Care Reserve	(\$78,009)	(\$78,009)	(\$78,009)
Total Estimated Net Effect on <u>Other</u> State Funds	(\$78,009)	(\$78,009)	(\$78,009)

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
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 2014	FY 2015	FY 2016
Local Government	Unknown	Unknown	Unknown

FISCAL ANALYSIS

ASSUMPTION

§ 273.327 - Animal Shelter Fees:

In response to similar legislation from 2013 (SB 98) and from 2012 (HB 1934), officials at the **Department of Agriculture (AGR)** assumed this proposal would allow the Director of AGR to exempt any animal shelter from the payment of license fees until 2015. This legislation would exempt approximately 284 animal shelters from the payment of license fees.

AGR assumed this proposal would decrease revenues to the Animal Care Reserve Fund by approximately \$78,009 per year.

AGR stated calculations are based upon per capita reporting of the affected licensees, assuming a \$100 base fee, \$2,500 fee cap, and \$25 Bark Alert fee.

Oversight assumes beginning January 1, 2014 animal shelters would be exempt from the animal licensure fee.

Oversight assumes a fiscal impact of (\$78,009) in FY14, (\$78,009) in FY15, and (\$78,009) in FY16 to the Animal Care Reserve Fund.

Oversight assumes an unknown savings to animal shelters owned by a local governments beginning in FY 14 as they would be exempt from the licensure fee.

Officials from the **Office of the Secretary of State (SOS)** state many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with the core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

ASSUMPTION (continued)

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process.

Officials at the **Joint Committee on Administrative Rules** assume this proposal is not anticipated to cause a fiscal impact beyond its current appropriation.

Officials at the **City of Columbia** assume there is no fiscal impact from this proposed legislation.

Officials from numerous counties and cities did not respond to **Oversight's** request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
ANIMAL CARE RESERVE FUND			
<u>Cost</u> - Exemption of Animal Shelters from licensure fees.	<u>(\$78,009)</u>	<u>(\$78,009)</u>	<u>(\$78,009)</u>
ESTIMATED NET EFFECT ON ANIMAL CARE RESERVE FUND	<u>(\$78,009)</u>	<u>(\$78,009)</u>	<u>(\$78,009)</u>
 <u>FISCAL IMPACT - Local Government</u>	 FY 2014 (10 Mo.)	 FY 2015	 FY 2016
LOCAL GOVERNMENT			
<u>Savings</u> - Local Government owned animal shelters fee exemption	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
ESTIMATED NET EFFECT ON LOCAL GOVERNMENT	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

This proposal exempts, effective January 1, 2014, an animal shelter from the payment of any licensing and other fees under the provisions of the Animal Care Facilities Act and reduces the maximum amount a commercial breeder can be charged for a license from \$2,500 to \$1,000 per year.

The Director of the Department of Agriculture, upon promulgation of rules, may exempt an animal shelter from the payment of the fees prior to that date. The department director may deny any applicant of an animal shelter license or revoke the license of an animal shelter licensee if he or she determines that the applicant or licensee unreasonably profits from the charges for adoption or sales of the shelter's animals.

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 Agriculture
Office of Secretary of State
Joint Committee on Administrative Rules
City of Columbia

Not Responding:

Numerous Counties
Numerous Cities



Ross Strope
Acting Director
February 1, 2013