

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO.: 0732-01
BILL NO.: Perfected HB 219
SUBJECT: Property, Real and Personal: Fences
TYPE: Original
DATE: February 19, 2001

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

In response to a similar proposal (HB 219), officials from the **Office of State Courts Administrator**, the **Department of Agriculture** and the **Department of Transportation** assume the proposed legislation would have no fiscal impact of their agencies.

Officials from the **Department of Natural Resources** (DNR) assume that the state is not specifically exempt from this legislation. However, it is assumed that the state has sovereign immunity from a bill governing political subdivisions.

In the past, the DNR has not been obligated to share fencing responsibilities, but has done so voluntarily along the Katy Trail Corridor.

Assuming the state is exempt from this proposal, the department would not be fiscally impacted by this proposal. If the state is not exempt from this legislation, there could be future costs for the department.

Officials from the **Department of Conservation** (MDC) noted that currently, upon request by an adjoining landowner, the MDC routinely cost shares a legal fence as described by section 272.020, RSMo. Officials assume this proposal does not appear to restrict the department's voluntary fencing policy; therefore, they do not anticipate increased fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	\$0	\$0	\$0

<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	\$0	\$0	\$0

FISCAL IMPACT - Small Business

Small businesses which share fences with adjoining landowners could be affected as a result of this proposal.

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DESCRIPTION

This proposal would revise the law governing fences and enclosures, Chapter 272, RSMo.

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

SOURCES OF INFORMATION

Department of Agriculture
Department of Conservation
Department of Natural Resources
Department of Transportation
Office of State Courts Administrator



Jeanne Jarrett, CPA
Director

February 19, 2001