

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

LR No.: 0432-10
Bill No.: Truly Agreed to and Finally Passed CCS for HS forHCS for SCS for SB 199
Subject: Counties: Classifications, Storm Water Control, County Counselor
Type: Original
Date: June 19, 2003

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
General Revenue	(\$182,839 to Unknown)	(\$182,839 to Unknown)	(\$1,472,527 to Unknown)
Total Estimated Net Effect on General Revenue Fund	(\$182,839 to Unknown)	(\$182,839 to Unknown)	(\$1,472,527 to Unknown)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Exhibition Center and Recreational Facility District Sales Tax Trust	\$0	\$0	\$0
State School Moneys	\$0	\$0	\$0
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 18 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Local Government	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown

FISCAL ANALYSIS

ASSUMPTION

Sections 48.020 and 48.030: County Classifications

Officials of the **State Tax Commission** assume any county that would change classification would be required to maintain the necessary assessed valuation for five successive years; therefore, it is unknown if any of these counties would be affected by this proposal. Officials assume no fiscal impact to the Tax Commission

Oversight assumes this proposal is procedural in nature and should have no fiscal impact other than by raising the required assessed valuation might postpone a county from changing classification, thereby, postponing an increase in the expenditure of money on salaries, new offices, etc.. For purposes of this fiscal note, Oversight assumes this proposal could save certain counties money from postponing a classification change until a larger assessed valuation has been reached. Fiscal impact to certain counties will be shown as \$0 to unknown savings.

ASSUMPTION (continued)

Section 49.272: Boone County Counselor

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

Oversight assumes this section is permissive. Boone County's governing body would have to elect to impose civil fines that could not exceed \$1,000 by ordinance. This section does not require Boone County officials to impose a fine, or to appoint a County Counselor. If the County would impose a fine, and appoint a Counselor, the fines collected would be paid into the County's General Revenue Fund and could only be used to pay for the cost of enforcement of such misdemeanors.

County Crime Reduction Fund: (Sections- 50.550, 50.565, 558.019, and 558.021)

Officials of the **Office of State Courts Administrator** stated that this proposal does not specify who would be responsible for receiving and accounting for what would in most cases be installment payments. Since the Sheriff and Prosecutor would be the beneficiaries of the fund, officials assume one of them would provide these services through local funds, and state-paid court clerks would not be required to perform this duty. If this assumption is valid, there would be no appreciable state cost. However, if the court clerks are required to provide this service, there would be a state cost in direct proportion to the volume of transactions.

Officials stated that traffic cases are technically misdemeanors, and if as an alternative to a traffic conviction, a defendant can get a suspended sentence for payment into the crime reduction fund, the potential volume could be in the hundreds of thousands of cases. If cases that would otherwise have resulted in a conviction are shifted to a suspended imposition or execution of sentences, it is likely to result in the loss of revenue from fines to the schools, crime victims' compensation fund, law enforcement training and other earmarked funds.

Officials from the **Department of Corrections (DOC)** assume the fiscal impact due to passage of this bill is unknown. This bill authorizes the creation of a county crime reduction fund and probationers can be required to pay up to \$1,000 to the fund as a condition of probation. Proposed language in §558.019 refers only to misdemeanor probation; however §559.021 does

not appear to be limited to only misdemeanors. Willful failure to pay could result in the revocation of probation and incarceration.

Currently, the DOC cannot predict the number of new commitments which may result from the creation of the offenses(s) outlined in this proposal. An increase in commitments depends on the utilization by prosecutors and the actual sentences imposed by the court.

ASSUMPTION (continued)

If additional persons are sentenced to the custody of the DOC due to the provisions of this legislation, the DOC will incur a corresponding increase in operational cost either through incarceration (FY01 average of \$35.78 per inmate, per day or an annual cost of \$13,060 per inmate) or through additional supervision provided by the Board of Probation and Parole (FY01 average of \$3.34 per offender, per day or an annual cost of \$1,219 per offender).

At this time, the DOC is unable to determine the number of additional inmate beds that may be required as a consequence of passage of this proposal. Estimated construction cost for one new medium to maximum-security inmate bed is \$55,000. Utilizing this per-bed cost provides for a conservative estimate by the DOC, as facility start-up costs are not included and entire facilities and/or housing units would have to be constructed to cover the cost of housing new commitments resulting from the cumulative effect of various new legislation, if adopted as statute.

In summary, supervision by the DOC through incarceration or probation would result in additional costs. The exact fiscal impact to the DOC is unknown and cannot be estimated.

Officials of the **Office of Prosecution Services** assume no fiscal impact.

Officials of the **Department of Elementary and Secondary Education** assume no fiscal impact.

Jefferson County, Platte County Sheriff, and Cass County officials assume no fiscal impact.

Oversight assume that fiscal impact would depend upon several factors: 1) The County Commission would need to establish the Crime Reduction Fund; and 2) The amount of fiscal impact would depend on the number of cases the Court would suspend and require payment into the Crime Reduction Fund.

Oversight assumes that to the extent there is a reduction in fines on the local level, schools would receive more money in state aid due to the school aid formula. Therefore, the loss of

fine revenues would be subsidized by the State's General Revenue Fund.

Oversight assumes court costs would be assessed in cases where the Crime Reduction Fund would be used in lieu of a fine.

ASSUMPTION (continued)

Section 64.907 Environmental Protection- Storm Water:

Officials of the **Department of Natural Resources (DNR)** assume this proposal allows counties affected by Phase II storm water to adopt rules, regulations or ordinances and hold an election to allow them to collect a utility tax to be used to administer the rules, regulations or ordinances.

This proposal does not change DNR's authority and therefore, DNR would not anticipate any direct fiscal impact from this legislation.

Oversight assumes this proposal is permissive and would require voter approval before any positive fiscal impact would be realized. **Oversight** presented the fiscal impact in a range of voters not approving such measure to an unknown number of local districts in the state passing the measure. **Oversight** assumes the Local Utility Tax, at the earliest, would be passed by voters in October, 2003, and therefore, would become effective April 1, 2004. With a month of lag time, only 2 months of revenue would be realized in FY04. **Oversight** also assumes the utility tax would be collected locally and the **Department of Revenue** would not have an administrative impact as a result of this Section. *For purposes of this fiscal note, fiscal impact will be shown as \$0. Oversight assumes costs would not exceed income in any fiscal year.*

Section 67.399: St. Louis County- Registration Fee for Code Violations:

Oversight assumes this section offers an alternative procedure for St. Louis County to enforce code violations. Oversight assumes there would be no fiscal impact unless the County's governing body would vote to initiate this system to enforce code violations. Oversight assumes any fee monies assessed would go to defray inspection cost, enforcement costs and court costs. Oversight assumes this act does not require St. Louis County to initiate this program, therefore, Oversight assumes no fiscal impact from this section to St. Louis County.

Section 67.1775- All Counties- Community Children's Services Fund Sales Tax:

Officials of the **Department of Revenue** assume no fiscal impact. Officials noted that this proposal does not provide language that would require the Department of Revenue to collect the tax. Therefore, officials assume there would be no 1% collection fee collected as a result of this proposal.

ASSUMPTION (continued)

Cass County officials assume if this proposal were placed before the voters, there would be additional election cost of approximately \$25,000 to \$30,000.

Jefferson County officials assume no fiscal impact.

Oversight assumes this proposal is enabling legislation and would have no fiscal impact unless, either the County's governing body, or by citizen petition, would place the question of imposing a sales tax on the ballot, and receive voter approval to impose a sales tax that could not exceed one-quarter of a cent. **Oversight assumes that this proposal as written, does not mandate counties to impose a sales tax, therefore, Oversight assumes no fiscal impact. Oversight assumes that as written, local governments would have to collect and administer the sales tax.**

Section 67.2000 Exhibition Center and Recreational Facility Districts:

In Response to similar legislation (1763-01) of this session the following entities made the following fiscal impact statements:

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

In response to a similar proposal from this year, officials from the **Department of Revenue (DOR)** assumed the district would be required to submit a list of businesses to DOR. The Division of Business Tax would need to notify the businesses in the district of the tax and reporting requirements. DOR stated that it is unknown how many businesses would need to be mailed the notification letters.

DOR stated that their Information Technology Division would need to make program changes to

the MITS system to create and maintain a “shape” file, which would outline the boundaries of the tax free zone. The MITS programming would require 692 hours of programming at a total cost of \$23,085. DOR also assumed State Data Center costs to implement the proposed legislation would be \$4,503. Therefore, DOR assumed total costs of \$27,588 in the first year if the district is created by the voters of the three counties.

In response to a similar proposal from this year, officials from **Miller County** stated they would incur election costs for the establishment of the sales tax for the exhibition center even if the election fails.

ASSUMPTION (continued)

Officials from **Camden County** and **Morgan County** did not respond to our request for fiscal impact.

Oversight assumes this proposal is permissive and would require voter approval before any positive fiscal impact would be realized by the state or the new district. Oversight presented the fiscal impact in a range of voters not passing the measure to voters in the new district passing the sales tax. Oversight assumed the sales tax, at the earliest, would be passed by the voters and be effective April 1, 2004. Oversight also assumes the DOR would complete the programming changes after the voters approved the sales tax measure and would therefore, not incur the programming charges if the measure fails.

Oversight assumes the state would retain a 1% collection fee which would be deposited in the State’s General Revenue Fund. The amount of revenue that would be generated in a given year is unknown. Oversight also assumes the election costs incurred by the local political subdivisions is unknown and would only be incurred in the first fiscal year.

This proposal could result in an increase in Total State Revenue since collection fees are deposited in the General Revenue Fund.

Section 67.2015 - Shannon County - Transient Guest Tax:

Oversight assumes that the provisions of Section 67.2015 is permissive and would have no fiscal impact unless the County’s governing body would receive **voter approval** to impose a surcharge on tourist attractions and hotels, motels, and campgrounds of which the proceeds would be used to promote tourism within the county. Oversight assumes that the county would be responsible for the collection and administration of the tax. Therefore, the State Department of Revenue would have no fiscal impact.

Sections 135.207 and 135.261- Jackson County Satellite Zone Designation, and Laclede County Enterprise Zone Designation:

Officials of the Department of Economic Development did not respond to Oversight request for fiscal note, however, the department did respond to similar legislation of this session (Fiscal Note # 1281-01 and fiscal note 432-08)

ASSUMPTION (continued)

Officials from the **Department of Economic Development (DED)** state the bill authorizes a new enterprise zone in Laclede County and one satellite zone in Jackson County. DED does not feel the bill has enough immediate impact on DED to warrant additional personnel or expenditures. At some point in the future, enough additional enterprise zone credits could be issued that would require an additional person. At that time, DED would request additional funding.

DED states the average cost for each enterprise zone in a rural area (not located in a Standard Metropolitan Area such as Kansas City, St. Louis, St. Joseph, Springfield, or Joplin) is estimated to be \$122,839 per year. This bill provides for 1 full enterprise zone in a rural area. The cost of an enterprise zone includes the costs of EZ tax credits, refunds, and income modifications (modification times tax rate to convert to dollar benefit) for a year. These figures are an average so some zones will cost more and some will cost less. It is not possible to predict anything more than the averages used as the cost until the zone has been created and mapped. The cost of a satellite zone is \$60,000 to unknown. Therefore, total cost is (\$122,839 to Unknown) annually.

DED assumes the state's Total State Revenue will be reduced by the tax credits and income modifications. This will be offset by some positive but indeterminable amount of economic benefit realized by the designation of enterprise zones.

Officials of the **Department of Insurance** assumes this proposal adds an additional enterprise zone under section 135.261 and an additional satellite zone pursuant to section 135.207. If insurance companies invest or expend into the new zones they would be eligible for additional tax credits reducing premium tax revenue. Premium tax revenue is split 50/50 between General Revenue and the County Foreign Insurance Fund or against the County Stock Fund for domestic stock property and casualty companies. County Foreign Insurance Funds and County Stock Funds are later distributed to school districts. Loss of tax revenue to County Foreign Insurance

Fund and County Stock Fund impacts local school districts. Officials stated they have no way of knowing how many insurance companies will take advantage of the new tax credits available with the new zone designations. Therefore, there will be an unknown loss of premium tax revenue to General Revenue, County Foreign Insurance Fund, and County Stock Fund.

Oversight assumes the local taxing and governing authorities may grant an exemption (in whole or in part) of property taxes to new or expanding businesses after holding the required public hearings on the matter, therefore, has estimated the local impact as zero. The fiscal note does not reflect any indirect positive result that may occur because of the tax credits issued.

ASSUMPTION (continued)

The provisions of Sections 135.261 and 135.207 of this proposal may result in a loss of Total State Revenue.

Section 304.010- Certain Class Counties- Speed Limits::

Officials of the **Department of Public Safety- State Highway Patrol** assume no fiscal impact to their department.

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

Oversight assumes this is enabling legislation, and as written, this proposal 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 644.581, 644.582 and 644.583 Bond Issuance for Environmental Purposes:

In response to identical legislation (915-01) the following entities submitted the following fiscal impact statements:

Officials from the **State Treasurer's Office, Attorney General's Office and the State Auditor's Office** assume this proposal would have no fiscal impact on their agencies.

Officials of the **Department of Natural Resources (DNR)** assume that bonds are sold on an as needed basis. Bond sales lag authorization by approximately 3 years.

37(e) money is approved for \$10 million to be spent as follows:

\$3 Million for the 40% State Construction Grant Program

\$2.5 Million for the Rural Water and Sewer grants

\$4.5 Million for the Clean Water State Revolving Fund (20% match required to receive Federal Funds)

37(g) money is approved for \$10 Million to be spent as follows:

\$5 Million for Rural Water grants and loans

\$5 Million for Rural Sewer grants and loans

37(h) money is approved for \$20 Million to be spent as follows:

\$10 Million for storm water grants

ASSUMPTION (continued)

\$10 Million for storm water loans

Officials from the **Office of Administration** assume 1) Issue date will depend on the use of available bond proceeds for bonds authorized but not yet issued.; 2) 25 year maturity; 3) 7% interest rate; 4) Level debt service; 5) Analyzed cost is based on sale in FY06 of \$15 million for section 37(g). Sections 37(e) and 37(h) will not use new authorization in FY04 through FY06.

All Other Sections:

Oversight assumes that all Sections not addressed in the assumption and fiscal impact sections are either enabling and permissive, or changing procedures, or sets qualifications and would have no fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
GENERAL REVENUE FUND			
<u>Loss</u> - Satellite Zone in Jackson County (Sections 135.207 and 135.261)	(\$122,839)	(\$122,839)	(\$122,839)
<u>Loss</u> - Enterprise Zone in Laclede County	<u>(\$60,000 to Unknown)</u>	<u>(\$60,000 to Unknown)</u>	<u>(\$60,000 to Unknown)</u>

Total Loss to General Revenue (Sections 135.207 and 135.261) *	<u>(\$182,839 to Unknown)</u>	<u>(\$182,839 to Unknown)</u>	<u>(\$182,839 to Unknown)</u>
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Cost to Office of Administration- Div. of
Accounting (**Sec.644 etal.**)

Equipment and Expense	\$0	\$0	(\$530)
Paying Agent Fees	\$0	\$0	(\$2,000)
Other Fund costs	<u>\$0</u>	<u>\$0</u>	<u>(\$1,287,688)</u>
Total <u>Costs</u> - Office of Administration - Division of Accounting (Sec. 644 etal.)	<u>\$0</u>	<u>\$0</u>	<u>(\$1,289,688)</u>

Income to Department of Revenue

1% Collection Fee (67.2000)	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
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Cost to Department of Revenue

Programming costs (67.2000)	<u>\$0 or (\$27,588)</u>	<u>\$0</u>	<u>\$0</u>
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Total Effect to Department of Revenue
(**67.2000**)

<u>\$0 or (\$27,588) to Unknown</u>	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>
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Costs – Department of Corrections

Incarceration/Probation costs (50.550)	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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Transfer out – to State School Moneys
Fund (**Section 50.550 etal.**)

<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>
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**ESTIMATED NET EFFECT TO
STATE'S GENERAL REVENUE
FUND ***

<u>(\$182,839 to Unknown)</u>	<u>(\$182,839 to Unknown)</u>	<u>(\$1,472,527 to Unknown)</u>
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**EXHIBITION CENTER AND
RECREATIONAL FACILITY
DISTRICT SALES TAX TRUST
FUND (67.2000)**

<u>Income</u> - Sales tax proceeds	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
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<u>Transfer Out</u> - to District	<u>\$0 or</u> <u>(Unknown)</u>	<u>\$0 or</u> <u>(Unknown)</u>	<u>\$0 or</u> <u>(Unknown)</u>
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**ESTIMATED NET EFFECT TO THE
EXHIBITION CENTER AND
RECREATIONAL FACILITY
DISTRICT SALES TAX TRUST
FUND (Section 67.2000)**

<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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**STATE SCHOOL MONEYS FUND
(Section 50.550 etal.)**

<u>Transfer in</u> – from General Revenue Fund	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
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<u>Costs</u> – transfer to local school districts (Section 50.550 etal.)	\$0 to <u>(Unknown)</u>	\$0 to <u>(Unknown)</u>	\$0 to <u>(Unknown)</u>
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**ESTIMATED NET EFFECT ON
STATE SCHOOL MONEYS FUND**

<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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*** Note:** This does not reflect the possibility that some of the tax credits could be utilized by insurance companies against insurance premium taxes. If this occurs, the loss in tax revenue would be split between the General Revenue Fund and the County Foreign Insurance Fund, which ultimately goes to local school districts. (Sections 135.207 and 135.261)

<u>FISCAL IMPACT - Local Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
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CERTAIN COUNTIES

Savings to Certain Counties

from raise in classification assessed
valuation requirements. (Section 48.020,
and 48.030)

<u>\$0 to Unknown</u>	<u>\$0 to Unknown</u>	<u>\$0 to Unknown</u>
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**CITY/COUNTY STORM WATER
FUND (Section 64.907)****Income** to Certain Cities/Counties
from utility tax (Section 64.907)

Unknown

Unknown

Unknown

Cost to Certain Cities/Counties
Storm Water Control Projects(Unknown)(Unknown)(Unknown)**Estimated Net Effect to Certain
City/County Storm Water Fund *****\$0****\$0****\$0****COUNTY CRIME REDUCTION
FUND (Sec. 50.550 etal.)****Income** to Crime Reduction Fund
Court ordered payment

Unknown

Unknown

Unknown

Cost to Crime Reduction Fund
Law Enforcement programs(Unknown)(Unknown)(Unknown)**Total Effect on County Crime
Reduction Fund (Sec. 50.550 etal.) *****\$0****\$0****\$0****SCHOOL DISTRICTS (Sec. 50.550
etal.)****Income** – to Certain School Districts
from State's School Aid Formula

\$0 to Unknown

\$0 to Unknown

\$0 to Unknown

Loss – to Certain School Districts
from reduction in fines\$0 to
(Unknown)\$0 to
(Unknown)\$0 to
(Unknown)**ESTIMATED NET EFFECT TO
CERTAIN SCHOOL DISTRICTS****\$0****\$0****\$0**

**Shannon County - COUNTY
TOURISM SURCHARGE TRUST
FUND (Section 67.2015)**

<u>Income</u> to Tourism Trust Fund from transient guest tax surcharge	Unknown	Unknown	Unknown
<u>Cost</u> to Tourism Trust Fund promotion of tourism	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
<u>Estimated Net Effect</u> to Shannon County Tourism Surcharge Trust Fund (Section 67.2015) *	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

**BOONE COUNTY GENERAL
REVENUE FUND (Section 49.272)**

<u>Income</u> to Boone County from civil fines not to exceed \$1,000	Unknown	Unknown	Unknown
<u>Cost</u> to Boone County Cost of enforcement of county rules, regulations and ordinances.	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
<u>Estimated Net Effect</u> to Boone County General Revenue Fund *	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

TOTAL ESTIMATED NET EFFECT TO LOCAL GOVERNMENTS	<u>\$0 TO</u> <u>UNKNOWN</u>	<u>\$0 to</u> <u>UNKNOWN</u>	<u>\$0 to</u> <u>UNKNOWN</u>
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***Oversight assumes that costs would not exceed the total amount of revenue in a given year. This applies to all funds.**

FISCAL IMPACT - Small Business

Small businesses located within a city or county that would receive voter approval to levy a utility tax to fund storm water projects would be expected to pay the tax, (Section 64.907).

Small businesses located in St. Louis County, that are in violation of housing codes could expect to pay a registration fee if the County's governing body would initiate the provisions of (Section 67.399).

Small businesses located in Missouri counties that would receive voter approval to impose a sales tax for community services for children, would be expected to pay and administer the collection of the sales tax. (Section 67.1775)

Small businesses located in certain counties, whose governing body would receive voter approval to impose a sales tax of up to .05% could expect to collect and pay the sales tax . The tax would be for an exhibition center and/or recreational facility. (Section 67.2000)

FISCAL IMPACT - Small Business (continued)

Small businesses of the tourist business and are located in Shannon County could expect to collect and administer a transient guest tax for the promotion of tourism within the county, if the voters of Shannon County would approve the imposition of the guest tax. (Section 67.2015)

DESCRIPTION:

This bill:

(1) Increases the required assessed valuation necessary to qualify as a county of the first classification from \$450 million to \$600 million and as a county of the second classification from \$300 million to \$450 million. Any county that has the requisite assessed valuation to become a county of the first classification may choose to do so upon an affirmative vote of the county's governing body, even though the county has not had this valuation for five successive years as required under current law; **(48.020 and 48.030)**

(2) Authorizes the Boone County Commission to impose a civil fine of not more than \$250 for misdemeanor county ordinance violations and requires the county counselor, rather than the county prosecuting attorney, to prosecute these violations. Fines collected pursuant to the bill will be paid into the county general fund and used to pay for the cost of enforcement of the ordinances; **(49.272 and 56.640)**

(3) Authorizes county treasurers in counties of the third and fourth classification to issue payroll checks before the filing of the county budget estimates; **(50.740)**

(4) Authorizes all counties to impose, upon voter approval, a sales tax of up to 0.025 % for community services for children up to the age 19. Current law allows St. Charles, St. Louis, Jefferson, Franklin, Warren, and Lincoln counties to enact this sales tax. The moneys collected from the tax will be deposited into the county's community children's fund and administered by the board of directors; **(67.1775)**

(5) Authorizes any county subject to Environmental Protection Agency rules concerning storm water discharge to adopt ordinances that are necessary to comply with federal regulations. These counties may, upon voter approval, impose a storm water utility tax in an amount necessary to fund public storm water control projects; **(64.907)**

(6) Authorizes St. Louis County to impose, by ordinance, a semiannual fee of up to \$200 on owners of residential property or commercial housing property if that property is vacant, has been vacant for six months, and is in violation of the housing code. A municipal officer must make

DESCRIPTION (continued)

the initial determination, and the owner may appeal or improve the property within 30 days. If improved, the owner may ask for reinspection. If the fee is still imposed, the owner may still appeal. Delinquent fees become a lien upon the property. Currently, only municipalities may impose the fee; **(67.399)**

(7) 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 higher classification; **(190.306)**

(8) Authorizes the Department of Economic Development to designate an area within Jackson County as a satellite zone. The governing body of the county must submit a plan describing how the zone corresponds to the county's overall enterprise zone strategy. The department is also required to designate an enterprise zone in Laclede County. The zones must be approved by the department director and meet all statutory requirements; **(135.207 and 135.261)**

(9) Authorizes counties of the second, third, or fourth classification to set, by ordinance, countywide speed limits on county-maintained roads; and **(304.010)**

(10) Establishes requirements for candidates for the office of public administrator. Candidates must be 21 years of age, be a resident of the county for at least one year, be a registered voter, and be current in the payment of all personal and business taxes. **(473.730)**

(11) The act allows Shannon County to impose a surcharge on the sale of each ticket or other charge allowing admission to or participation in any private tourist attraction or on the daily rental of rooms or accommodations paid by transient guests at a rate not to exceed five percent of such admission or amount. **(67.2015)**

(12) WATER POLLUTION BONDS (Sections 644.581, 664.582, and 644.583)

In addition to amounts authorized prior to August 28, 2004, the bill authorizes the Board of Fund Commissioners to issue bonds for grants and loans pursuant to several sections of Article III of the Missouri Constitution. The authorizations are for:

(1) \$10 million of bonds for waste water pollution control, drinking water system improvements, and storm water control pursuant to Section 37(e);

DESCRIPTION (continued)

(2) \$10 million of bonds for rural water and sewer projects pursuant to Section 37(g); and

(3) \$20 million of bonds for storm water control plans, studies, and projects in first classification counties and the City of St. Louis pursuant to Section 37(h).

(13) EXHIBITION CENTER AND RECREATIONAL FACILITY DISTRICTS (67.2000)

The bill creates the Exhibition Center and Recreation Facility District Act. It enables citizens of Boone, Buchanan, Camden, Jasper, Jefferson, Miller, Morgan, and Newton counties to petition to create an exhibition center and recreational facility district. At least 50 property owners in a county must sign the petition. Once the petition is filed, the governing body may approve a resolution to create the district. Following a public hearing, the governing body may adopt an order establishing the proposed district. A board of trustees will administer any district created. The governing body of each county within the district will appoint four residents from the portion of the county within the district to serve on the board. The board will have the power to enter into contracts or other agreements affecting the affairs of the district, borrow money,

issue bonds, acquire and dispose of real and personal property, refund bonds without an election, manage the affairs of the district, hire agents, and amend and adopt bylaws.

The district may submit to its voters a sales tax of up to 0.5%. The tax will be reduced automatically to a rate of 0.1% after 25 years unless an extension is voted upon by the voters in the district.

(14) COUNTY CRIME REDUCTION FUND (Sections 50.565, 558.019, and 559.021)

The bill allows county commissions to create county crime reduction funds and specifies the purposes for which the money in the funds can be spent.

The bill allows the court to order restorative justice methods in cases where there is a suspended imposition or execution of sentence and to order individuals who have a suspended imposition or execution of sentence for a misdemeanor to make a payment of up to \$250 to the county crime reduction fund.

The bill also allows the court to order a payment of up to \$250 to the county crime reduction fund as a condition of probation. A judge can only order this condition of probation if the fund was established prior to sentencing. A judge cannot have any direct supervisory or administrative control over the fund to which he or she orders probationers to make payments. A

DESCRIPTION (continued)

defendant can refuse probation that includes, as a condition, payments to the fund, but probation cannot be revoked solely for failure to make payments, except under certain circumstances.

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 Attorney General

Office of State Auditor

Office of State Treasurer

Missouri State Tax Commission

Office of State Court Administrator

Department of Natural Resources

RWB:LR:OD (12/02)

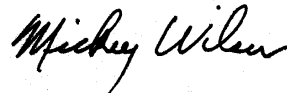
LR No. 0432-10

Bill No. Truly Agreed to and Finally Passed CCS for HS for HCS for SCS for SB 199

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June 19, 2003

Department of Economic Development
Department of Revenue
Department of Corrections
Office of Prosecution Services
Department of Elementary and Secondary Education
Department of Insurance
Department of Public Safety- State Highway Patrol
Department of Transportation
Office of Administration
Jefferson County
Platte County Sheriff
Cass County
Miller County

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Director
June 19, 2003