

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0119-06
Bill No.: HCS for SB 57
Subject: Cities, Towns, and Villages; Fees; Health - Public
Type: Original
Date: May 2, 2013

Bill Summary: This proposal changes the laws relating to certain civil actions.

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
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 8 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	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§§ 8.683 and 8.695 - Construction Management Services:

In response to similar legislation filed this year, HB 642, the following responded:

Officials at the **Lincoln University** assume this legislation will allow a construction manager, who has been hired to work with the public Owner's architect/engineer to provide construction management and at times a guaranteed construction cost, to bid on the work as well. Previously, the construction manager was not allowed to bid on the work. While the Owner may realize some minimal savings with the project (since the construction manager is actually providing the cost estimate and should really know the work involved), it appears this may be a conflict of interest. The legislation does allow though for the Owner to decide on if the construction manager will be allowed to bid on the work. The impact is unknown.

Officials at the **St. Louis County, Highways and Public Works Department** assume the impact is unknown. Allowing construction management firms to submit bids to perform construction work on projects that they are performing construction management services, presents a number of concerns.

Oversight did not receive sufficient fiscal impact responses from political subdivisions to determine accurately whether political subdivisions would experience increased costs from this proposal; therefore, Oversight will not reflect an impact in the fiscal note.

§ 71.285 - City of Farmington Abatement of Nuisances Without Notification:

In response to the previous version of this proposal, officials at the **City of Farmington** assumed this proposal will have no measurable fiscal impact on the City. The proposal reduces the direct labor and administrative expense related to enforcement of nuisance property ordinances. The only fiscal affect will be to improve the efficiency of police operations related to those offenses.

Oversight assumes any city subject to this section of the proposal may recoup costs from the property owner if the city removes trash and weeds from a property with more than one violation within a calendar year.

Oversight assumes there is no measurable fiscal impact from this proposed legislation on cities.

ASSUMPTION (continued)

§ 77.675 - Passage of Ordinances in the City of Farmington:

In response to similar legislation filed this year, HB 61, the following responded:

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

Oversight assumes this section authorizes the city council of the City of Farmington to also adopt or repeal any ordinance by submitting the proposed ordinance to the registered voters of the city at the next municipal election.

Oversight assumes there is no measurable fiscal impact from this section of the proposal since the section requires action on the part of the voters in the City of Farmington.

§ 96.155 - Municipal Hospital Tax:

In response to similar legislation filed this year, HB 824, the following responded:

Officials from the **Office of Administration - Division of Budget and Planning (BAP)** assume this proposal would not result in any additional costs or savings to their organization.

BAP officials noted this proposal would allow various hospital districts that are funded by property taxes to abolish those taxes and replace them with sales taxes. This would have no direct impact on General and Total State Revenues, but General and Total State Revenues would increase to the extent a 1% collection fee is retained to offset the Department of Revenue's costs of collection.

Officials from the **Department of Revenue (DOR)** assume this proposal would allow the board of trustees of a municipal hospital, with the concurrence of the city council and voter approval, to abolish the current hospital property tax and impose a sales tax. The sales tax would apply to all retail sales made within the city which are subject to sales tax, and to all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use. The sales tax rate could not be more than one percent, and would be restricted to funding hospital operations.

Fiscal impact

DOR officials stated the Department would collect one percent of sales taxes to be deposited in the General Revenue Fund which would create an unknown, positive impact on Total State Revenue.

KB:LR:OD

ASSUMPTION (continued)

Administrative impact

DOR officials did not include an estimate of the administrative impact on their response, and **Oversight** assumes any cost would be minimal and could be absorbed with existing resources.

IT impact

DOR officials provided an estimate of the IT cost to implement this proposal. The estimate was \$15,797 based on 584 hours of programming to make changes to DOR systems.

Oversight assumes OA - ITSD (DOR) is provided with core funding to handle a certain amount of activity each year. Oversight also assumes OA - ITSD (DOR) could absorb the costs related to this proposal. If multiple bills pass which require additional staffing and duties at substantial costs, OA - ITSD (DOR) could request funding through the appropriation process.

Officials from the **Department of Social Services (DOSS)** assumed a similar proposal, SB 468, LR 1924-01 would allow a hospital which currently imposes a property tax to change to a sales tax method with the approval of the voters.

If the tax amounts collected under the sales tax method are approximately the same amount as the property tax method, there would be no impact to the Medicaid hospital program. If a hospital would increase their tax revenues through the sales tax, there could be a fiscal impact on the amount of direct Medicaid payments they receive. Direct Medicaid payments are used to reimburse hospitals to reflect more recent cost. Tax revenues as well as other factors in the cost report affect the calculation of direct Medicaid payments for hospitals. Therefore the fiscal impact is unknown.

There would not be a fiscal impact for the Medicaid reimbursement rate. Medicare costs, which are the basis of the Medicaid reimbursement rate, would not change as a result of increased tax revenues.

Officials from the **Department of Health and Senior Services** assumed a similar proposal, SB 468, LR 1924-01 would have no fiscal impact on their organization.

Officials from the **Office of the Secretary of State**, the **Joint Committee on Administrative Rules**, **St. Louis County**, the **City of Columbia**, and the **City of Kansas City** each assume this section of the proposal would not fiscally impact their respective agencies.

ASSUMPTION (continued)

Oversight notes this proposal would authorize the governing board of a hospital in a third class city, with city council approval, to submit to the voters a proposition to replace the current property tax for hospital support with a sales tax. The sales tax rate could not exceed one percent of taxable sales and would be restricted to funding hospital operations.

Oversight assumes the board and/or the city would have unknown election costs if the proposition authorized in this proposal was submitted to the voters. If the voters approved the proposition, the current property tax for hospital purposes would be eliminated but the board and/or the city would have additional revenue from the sales tax. The Department of Revenue would retain a 1% collection fee which would be deposited into the State's General Revenue Fund.

Finally, **Oversight** notes this proposal would only authorize the governing board and/or the city to submit the issue to the voters. Since potential election costs would depend on action by the governing board and city council, and changes in property or sales tax revenues would depend on voter approval, this proposal would not have any direct fiscal impact to the state or to local governments.

§ 640.236 - Underground Hard Rock Mining or Hard Rock Milling Civil Actions:

In response to similar legislation filed this year, HCS for HB 975, listed previously under section 537.556, the following responded:

Officials from the **Department of Natural Resources** and **Department of Health and Senior Services** assumed the proposal would not fiscally impact their agency.

Officials from the **Attorney General's Office** assume that any potential costs arising from this proposal can be absorbed with existing resources

Bill as a Whole:

Officials from the **Office of the State Courts Administrator**, **Missouri State University**, **University of Missouri**, and the **City of Columbia** each assume the current proposal would not fiscally impact their agency.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

The proposed legislation appears to have no direct fiscal impact.

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 Natural Resources
Department of Health and Senior Services
Department of Social Services
Office of the Attorney General
Office of State Courts Administrator
Office of Secretary of State
Joint Committee on Administrative Rules
Lincoln University
University of Missouri
Missouri State University
St. Louis County - Highways and Public Works Department
City of Kansas City
City of Columbia
City of Farmington



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