

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

LR No.: 0302-01
Bill No.: SB 170
Subject: Circuit Clerks: Deputies, Salaries
Type: Original
Date: January 21, 2003

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 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	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials of the **Office of Administration** assume no fiscal impact.

Officials of the **Office of State Courts Administrator** assume this proposal would **codify current practice**, and would have no fiscal impact on the state's judiciary.

Officials of the **Missouri State Employees' Retirement System** issued a statement of current law as a result of litigation.

MOSERS officials stated that in 2000, the Missouri Court of Appeals held in the case of Boone County v. County Employees' Retirement Fund, 26 S.W. 3d 257 (Mo. App, WD) that certain Boone County circuit court employees were not "state employees" and could not participate in MOSERS because they were paid entirely by the county. Based on the Boone County decision, if a county pays for the entire salary of those clerks as described in Section 483.245.7 of this proposal, then those clerks would not be eligible to participate in MOSERS.

FISCAL IMPACT - State Government

FY 2004
(10 Mo.)

FY 2005

FY 2006

\$0

\$0

\$0

FY 2004
(10 Mo.)

FY 2005

FY 2006

FISCAL IMPACT - Local Government

\$0

\$0

\$0

FISCAL IMPACT - Small Business

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

DESCRIPTION

This act would allow the Clay County Commission to vote to pay the salaries of deputy circuit clerks and division clerks with county funds. Currently, the salaries of deputy circuit clerks and division clerks must be paid by the state.

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

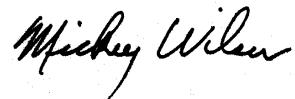
SOURCES OF INFORMATION

Office of Administration
Office of State Courts Administrator
Missouri State Employees' Retirement System

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NOT RESPONDING

Clay County Commission

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

Mickey Wilson, CPA
Director
January 21, 2003

RWB:LR:OD (12/02)