

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

LR No.: 1689-01
Bill No.: SB 415
Subject: Water Resources: Political Subdivisions
Type: Original
Date: March 14, 2005

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Total Estimated Net Effect on <u>Other</u> 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 2006	FY 2007	FY 2008
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials of the **Department of Natural Resources** assume no fiscal impact.

Official of the **Office of State Courts Administrator** assume no fiscal impact on the Courts.

Officials of the **City of West Plains** assume no fiscal impact.

Officials of the **Callaway County Water Supply District # 1** assume no fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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FISCAL IMPACT - Small Business

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

DESCRIPTION

This act pertains to water and sewer companies.

The act modifies Section 393.015, RSMo, to allow sewer corporations to contract only with water corporations to terminate water services over delinquent accounts; this is a change from the current law which provides that opportunity to water corporations, municipalities or public water supply districts.

New language provides the opportunity for municipality providing water or any water district to request to contract with a sewer district to terminate water services to any user with a delinquent account. No liability shall be borne by any water provider, or contractor acting for the water provider, for damages related to the termination of water service. The exception that is of course, if the damage caused is due to negligence on the part of the water provider, or their contractor.

If an agreement cannot be arranged within six months of a request, the sewer provider may file a request with the Circuit Court to have three commissioners draft such an agreement. The provisions of the agreement are laid out in the act.

Both the water and sewer provider shall be allowed to present evidence pertaining to the agreement in question, provided written notice is given fifteen days prior to the hearing. The decision by the commissioners shall be handed down - if it is approved, the order to become effective shall take place sixty days after the date of such judgement; if it is not approved, the court shall provide the opportunity for the commissioners to change the agreement and resubmit it to the court for review. All judgements by the court are subject to appeal.

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

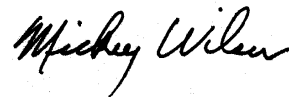
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Department of Natural Resources
Office of State Courts Administrator
City of West Plains
Callaway County Water Supply District # 1

NOT RESPONDING

Little Blue Valley Sewer District
St. Louis Metropolitan Sewer District

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

Mickey Wilson, CPA
Director
March 14, 2005