

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4624-05
Bill No.: HCS for SCS for SB 932
Subject: County Officials: Compensation, Elections
Type: Original
Date: April 10, 2006

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 7 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Local Government	\$0	\$0	\$0 or (\$18,274)

FISCAL ANALYSIS

ASSUMPTION

Oversight assumes the following sections in this proposal are permissive, procedural, changes certain requirements of current law, or empowers governing bodies at their discretion to do various things and would have no fiscal impact.

Section 49.292 Allows County Commissions to reject land gifts to the county.

Section 50.327 Allows County Public Administrators to choose to be paid a salary according to the statutory schedule.

Section 50.339 Allows the Cape Girardeau County's Salary Commission to equalize certain officials salaries.

Section 52.230 Changes the date on which Collectors of Revenue in 1st class non-chartered and 2nd, 3rd, and 4th class counties must send out tax statements.

ASSUMPTION (continued)

Officials of the **Cape Girardeau County Commission** stated that they expected in the year 2009 fiscal impact to be \$9,136.95 for the Treasurer, and \$9,136.95 for the Public Administrator, for a total fiscal impact of \$18,273.90.

Oversight assumes that Section 50.339 of this proposal to be discretionary. **Oversight** assumes the Cape Girardeau County Salary Commission would have to equalize the salaries of the Treasurer and Public Administrator with the salaries of the Auditor and Recorder of Deeds.

Oversight assumes that this Section as written does not mandate an equalization of salaries, therefore, **Oversight** assumes there would be no state or local fiscal impact. **Oversight** will show fiscal impact to Cape Girardeau County General Revenue Fund as \$0 to \$18,274 beginning in FY 2009. If the County Salary Commission elected not to equalize salaries, then fiscal impact would be \$0.

Oversight assumes this proposal amends two different sections of the law. One section concerns itself with the qualifications of the County Treasurer, and the other would allow the Cape Girardeau County Salary Commission to meet in 2007 to determine equalizing the salaries of the County Treasurer and Public Administrator with the base salaries of the County Auditor and County Recorder of Deeds.

Oversight assumes Section 54.040 would affect the qualifications and requirements of County Treasurers and would have no state or local fiscal impact.

Sections 59.331 and 59.332 allows sensitive personal identifying information contained in recordable documents to be redacted or removed by the preparer of the document or the Recorder of Deeds

Officials of the **Office of the Recorder of Deeds of Jackson County** assume that upon receipt of an application submitted in compliance with this section, the Recorder of Deeds may redact or remove the affected document from the records viewable on the publicly available Internet web site. This legislation will only affect those counties who choose to be involved in redaction. Such counties will need to estimate their costs. Officials assume no software expense, and any redaction would be performed with existing resources.

ASSUMPTION (continued)

Officials of the office of the **Callaway County Recorder of Deeds** stated that he does not currently have a public available internet web site, and this proposal would not affect the office. Officials assumed any recorder that maintained such a site would have administrative impact.

Oversight assumes that section 59.332 would only apply to Recorder of Deeds who would have a public available internet web site.

Oversight assumes that section 59.332 as written does not require the Recorder of Deeds to redact or remove any document in which a request has been made to the Recorder for removal. This proposal states that the Recorder "may redact or remove the affected document."

Oversight assumes these sections would not require Recorder of Deeds to provide an internet web site. **Oversight** assumes there would be no state or local fiscal impact. Recorders that would redact documents could have some administrative fiscal impact.

Sections 228.040, and 228.190 allows County Commissions, at their discretion, to open a county road and conclusively establishes the status as a public road of any county road for which the county has received County Aid Road Trust funds for at least five years after January 1, 1990.

Oversight assumes these sections changes certain procedures to be used and empowers the County Commissions greater authority over their road system. **Oversight** assumes no state or local fiscal impact.

Section 473.748 makes any term or provision in a contract unenforceable if it requires a Public Administrator who is acting as a guardian to pay the debt of a ward.

Oversight assumes this section amends current law and would have no state or local fiscal impact.

Officials of the **Office of Secretary of State** assume no fiscal impact.

Officials of the **Jasper County Clerks** office assume no fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
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**CAPE GIRARDEAU COUNTY
 GENERAL REVENUE**

Cost to Cape Girardeau County General Revenue Fund for equalizing salaries of certain officials

	<u>\$0</u>	<u>\$0</u>	<u>\$0 or (\$18,274)</u>
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**ESTIMATED NET EFFECT TO
 CAPE GIRARDEAU GENERAL
 REVENUE FUND**

	<u>\$0</u>	<u>\$0</u>	<u>\$0 or (\$18,274)</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 substitute changes the laws regarding political subdivisions. In its main provisions, the substitute:

- (1) Allows a County Commission to reject the transfer of title of real property to the county by donation or dedication if it is in the best interest of the county to do so. The preparer of a document donating or dedicating real property to a county cannot submit the document for recording unless the grantee's acceptance is proved or acknowledged (Section 49.292, RSMo);
- (2) Establishes the salary schedule for Public Administrators in second, third, and fourth classification counties who choose to be paid by salary and who are considered full-time county officials as the base schedule for those officials, unless the current salary is lower than the

compensation in the schedule.

DESCRIPTION (continued)

The lowering of county official salaries below the level being paid on August 28, 2005, is retroactively prohibited, and any action or vote doing so is voided (Section 50.327);

(3) Authorizes the salary commission in Cape Girardeau County to meet to determine whether to equalize the base salaries of the Treasurer and Public Administrator with the base salaries of the Auditor and Recorder of Deeds (Section 50.339);

(4) Requires all charter counties to mail property tax statements and receipts to taxpayers at least 30 days before being due. Currently, statements are required to be mailed at least 15 days before the due date (Section 52.230);

(5) Adds new requirements for candidates seeking the office of County Treasurer (Section 54.040);

(6) Allows sensitive personal identifying information contained in recordable documents to be redacted or removed by the preparer of the document or the Recorder of Deeds (Sections 59.331 and 59.332);

(7) Allows County Commissions, at their discretion, to open a county road and conclusively establishes the status as a public road of any county road for which the county has received county aid road trust funds for at least five years after January 1, 1990. The County Highway Engineer is no longer required to examine and approve a road or road change before the County Commission takes action on the road (Sections 228.040, and 228.190); and

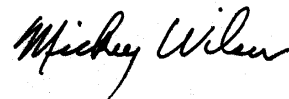
(8) Makes any term or provision in a contract unenforceable if it requires a Public Administrator who is acting as a guardian to personally pay or guarantee the debt of a ward or protectee (Section 473.748).

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

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SOURCES OF INFORMATION

Office of the Secretary of State
Cape Girardeau County Commission
Office of the Jackson County Recorder of Deeds
Office of the Callaway County Recorder of Deeds
Office of the Jasper County Clerk



Mickey Wilson, CPA
Director
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