

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4624-08
Bill No.: Truly Agreed To and Finally Passed CCS #2 for HCS for SCS for SB 932
Subject: County Officials: Compensation, Elections
Type: Original
Date: May 19, 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 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.

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

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.

ASSUMPTION (continued)

Oversight assumes that Section 50.339 of this proposal to be discretionary. **Oversight** assumes the Cape Girardeau County Salary Commission would not 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 **Section 54.040** would affect the qualifications and requirements of County Treasurers and would have no state or local fiscal impact.

Sections 59.331 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

Section 59.332 allows the Jackson County Recorder of Deeds to redact recorded documents from an internet website if any person would request in writing for removal of certain information.

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. Officials assume no software expense, and any redaction would be performed with existing resources.

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 personally pay the debt of a ward.

ASSUMPTION (continued)

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
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009

**CAPE GIRARDEAU COUNTY
 GENERAL REVENUE**

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

FISCAL IMPACT - Small Business

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

DESCRIPTION

This act modifies provisions relating to county officials.

DESCRIPTION (continued)

SECTION 49.292

This section 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 50.327

This section establishes the salary schedule for Public Administrators in counties of the second, third, and fourth classification, 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.

SECTION 50.339

This section allows the Cape Girardeau County Salary Commission to meet in 2007 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 52.230

This section requires all counties with a charter form of government 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 54.040

This section requires any candidate for County Treasurer to be at least twenty-one years of age and a resident of the state and county for at least one year prior to the general election. The candidate must also be a registered voter and shall be current in the payment of personal and real estate taxes. Upon election, the person must continue to reside in the county during his or her tenure.

SECTION 59.331

With limited exceptions, these sections prohibit the preparer of a document from including

"sensitive personal identifying information" in a document that is prepared for the recorder. Such information includes federal social security numbers, bank account numbers, and credit card account numbers.

DESCRIPTION (continued)

Currently, only the use of social security numbers is prohibited.

If a person's sensitive personal identifying information appears on a document, the preparer, submitter, or anyone in an agency relationship with the person may redact, remove, or delete such information before submitting it to the recorder.

The redaction of such information shall not affect the legal status of the transaction described in the document. The Recorder of Deeds shall not alter or modify any document except as otherwise provided by law.

SECTION 59.332

If any sensitive personal identifying information in a record is viewable on the Internet website of the Jackson County Recorder of Deeds, any person may apply in writing to the recorder for redaction or removal of the information. Upon receiving such application, the recorder of deeds may redact or remove the document from the records viewable on the Internet.

SECTIONS 228.040, 228.070 & 228.190

These sections allow County Commissions, at their discretion, to open a county road. After January 1, 1990, any county road for which the county receives county aid road trust funds for at least five years shall be deemed a "public county road" without the need for further proof. 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.

SECTION 473.748

This section 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.

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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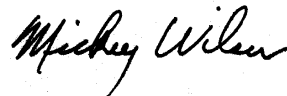
SOURCES OF INFORMATION

Office of the Secretary of State

Cape Girardeau County Commission

Office of the Jackson County Recorder of Deeds

Office of the Jasper County Clerk

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive style with a large initial "M".

Mickey Wilson, CPA

Director

May 19, 2006