

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3074-08  
Bill No.: Truly Agreed To and Finally Passed CCS for HCS for SCS for SB 765  
Subject: Counties, Cities, Towns, and Villages  
Type: Original  
Date: May 29, 2008

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Bill Summary: Repeals provisions which allow Villages to incorporate in an alternative way rather than requiring a petition by 2/3 of the taxable inhabitants that is approved by the County Commission.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2009</b>	<b>FY 2010</b>	<b>FY 2011</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2009</b>	<b>FY 2010</b>	<b>FY 2011</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

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).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2009</b>	<b>FY 2010</b>	<b>FY 2011</b>
<b>Local Government</b>	<b>\$0 to Unknown</b>	<b>\$0 to Unknown</b>	<b>\$0 to Unknown</b>

**FISCAL ANALYSIS**

ASSUMPTION

**St. Louis County** officials assume no fiscal impact.

Officials of the **Taney County Commission** stated that this proposal in their opinion reinstates needed county control over the formation of villages. Absent such control a developer could form a village for the sole purpose of circumventing County Ordinances, including planning and zoning laws. Officials stated that citizens do not benefit from a village with an inadequate financial base that cannot provide even the most basic services. Officials stated that “while difficult to quantify, this proposal has the potential to save Taney County millions of dollars”.

**Oversight** assumes no state fiscal impact. **Oversight** due to uncertainty will show fiscal impact to be \$0 to a positive unknown for certain local governments.

<u>FISCAL IMPACT - State Government</u>	FY 2009 (10 Mo.)	FY 2010	FY 2011
	<u><b>\$0</b></u>	<u><b>\$0</b></u>	<u><b>\$0</b></u>
<u>FISCAL IMPACT - Local Government</u>	FY 2009 (10 Mo.)	FY 2010	FY 2011

**CERTAIN COUNTIES**

**Savings** to Certain Counties  
From greater controls on Village  
incorporations.

**\$0 to Unknown**   **\$0 to Unknown**   **\$0 to Unknown**

FISCAL IMPACT - Small Business

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

### FISCAL DESCRIPTION

This act repeals the provisions in Section 72.080, RSMo, which allow villages to incorporate in an alternative way rather than requiring a petition by two-thirds of the taxable inhabitants that is approved by the county commission, as is required by Section 80.020, RSMo.

Under the language being repealed, a city, town, or village may incorporate after a number equal to 15% of the registered voters petitions the county commission. The commission must submit the question to the voters for their approval. In order to qualify for incorporation a village need only have the ability to furnish normal municipal services if it has at least 100 inhabitants. The language creating a definition of "village" in Section 72.080, RSMo, is also repealed.

This act contains a severability clause.

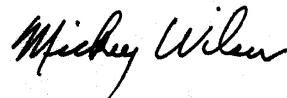
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

### SOURCES OF INFORMATION

St. Louis County Executive  
Taney County Commission

### NOT RESPONDING

Butler County Commission  
Callaway County Commission  
Cape Girardeau County Commission  
Franklin County Commission  
Greene County Commission  
Hickory County Commission  
Jefferson County Commission  
New Madrid County Commission  
Ozark County Commission  
Pulaski County Commission



Mickey Wilson, CPA  
Director  
May 29, 2008