

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4531-02  
Bill No.: Truly Agreed To and Finally Passed HCS for SB 1002  
Subject: Cities, Towns, and Villages: Codes, Zoning  
Type: Original  
Date: May 27, 2008

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Bill Summary: Modifies provisions governing zoning violation remedies.

**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 5 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>Unknown</b>	<b>Unknown</b>	<b>Unknown</b>

**FISCAL ANALYSIS**

ASSUMPTION

Officials of the **City of St. Louis** assume no fiscal impact.

**Oversight** assumes cities that have zoning codes, and enforcement of those codes, would be expected to have an increase in fine revenues from zoning code violations. The amount of increase in fine revenues would be determined by the courts. Income from fines on a statewide basis is indeterminable. **Oversight** will show the increase in fine revenues as a positive unknown to cities.

**Oversight** assumes no state fiscal impact.

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

**LOCAL GOVERNMENT: CITIES**

**Income** - To Cities

From increase in zoning code violation fines.

<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
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**ESTIMATED NET EFFECT TO LOCAL GOVERNMENT: CITIES**

<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</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.

FISCAL DESCRIPTION

Currently, property owners violating certain zoning regulations in municipalities located in Jackson County shall be fined at least \$10 but not more \$500, or imprisoned for ten days, for each day of such violation.

DESCRIPTION (continued)

For second or subsequent offenses involving the same violation at the same place, the punishment shall be a fine of not less than \$250 but not more than \$1,000, or imprisonment for ten days, for each day of the violation. In all other municipalities, property owners shall be fined at least \$10 but not more than \$100 for each day of the violation, unless the offense was committed wilfully, in which case, the penalty shall be a fine of not less than \$100 but not more than \$250, or imprisonment for ten days, for each day of such violation.

Under this act, a property owner in any city with more than 300,000 inhabitants may be fined at least \$10 but not more \$500, or imprisoned for ten days, for each day of such violation. For second or subsequent offenses involving the same violation at the same place, the punishment shall be a fine of not less than \$250 but not more than \$1,000, or imprisonment for ten days, for each day of the violation.

In all other municipalities, property owners shall be fined not less than \$10 but not more than \$250, or imprisoned for ten days, for each day of the violation. For second or subsequent offenses involving the same violation at the same place, the punishment shall be a fine of not less than \$100 but not more than \$500, or imprisonment for ten days, for each day of the violation.

This act repeals the other version of Section 89.120, RSMo, which was doubly-enacted.

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

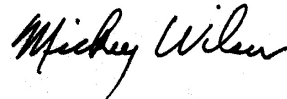
Office of State Courts Administrator  
Department of Elementary and Secondary Education  
City of St. Louis

NOT RESPONDING

Kansas City Manager's Office  
Columbia  
Maryland Heights

NOT RESPONDING (continued)

Florissant  
Bridgeton  
Raytown  
Lees Summit  
Belton  
St. Charles  
Springfield  
St. Joseph  
Cape Girardeau  
Independence  
Jackson County  
St. Louis County



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Director  
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