

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 6176-01
Bill No.: SB 914
Subject: Agriculture and Animals; Crimes and Punishment; Water Resources and Water Districts
Type: Original
Date: March 24, 2014

Bill Summary: This proposal creates the crime of unlawful placement of sediment.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Total Estimated Net Effect on FTE	0	0	0

☐ 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).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§ 577.074 - Unlawful Placement of Sediment:

Officials from the **Department of Natural Resources (DNR)** assume this proposal would not affect DNR as unlawful placement of sediment into waters of the state is already a violation of the Missouri Clean Water Law, according to section 644.082, RSMo.

DNR currently inspects and pursues enforcement action against parties that place unpermitted sediment into waters of the state.

DNR would not anticipate a direct fiscal impact from this proposal.

Officials at the **Office of Prosecution Services (OPS)** assumes no measurable fiscal impact to OPS. The creation of a new crime creates additional responsibilities for county prosecutors. This may in turn result in additional costs which are difficult to determine.

Oversight assumes OPS and county prosecutors can absorb any costs related to this proposal.

Officials at the **Office of State Public Defender (SPD)** cannot assume that existing staff will provide effective representation for any new cases arising where indigent clients are faced with the proposed new crime of unlawful placement of sediment. The penalty would become a new Class B misdemeanor.

SPD assumes while the number of new cases may be too few or uncertain to request additional funding for this specific bill, the SPD will continue to request sufficient appropriations to provide effective representation.

Officials from the **Department of Corrections**, the **Missouri State Highway Patrol**, the **Department of Agriculture**, the **Office of State Courts Administrator** each assume the proposal would not fiscally impact their respective agencies.

Oversight assumes this proposal will have no direct fiscal impact on state or local government funds.

ASSUMPTION (continued)

Officials from the **Franklin County Water District**, the **Cole County Public Water District #3**, the **Cole County Public Water District #4**, and the **St. Charles County Public Water Supply District #2** did not respond to **Oversight's** request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2015 (10 Mo.)	FY 2016	FY 2017
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2015 (10 Mo.)	FY 2016	FY 2017
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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.

FISCAL DESCRIPTION

The proposed legislation appears to have no direct fiscal impact.

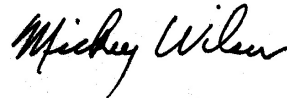
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Natural Resources
Department of Agriculture
Department of Corrections
Office of Prosecution Services
State Public Defender's Office
Office of State Courts Administrator
Missouri State Highway Patrol

Not Responding:

Franklin County Water District
Cole County Public Water District #3
Cole County Public Water District #4
St. Charles County Public Water Supply District #2



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Director
March 24, 2014

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Assistant Director
March 24, 2014