

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3707H.03T
Bill No.: Truly Agreed To and Finally Passed HCS for SCS for SB 886
Subject: Estates, Wills and Trusts; Children and Minors
Type: Original
Date: June 2, 2022

Bill Summary: This proposal modifies provisions relating to trusts.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Total Estimated Net Effect on FTE	0	0	0

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§214.160 – Cemetery Trust Funds

In response to similar legislation from this year, Perfected HB 2143, officials from the **Boone County Commissioner's Office** stated the fiscal impact from imposing upon the counties the obligation of maintaining cemeteries, when insufficient funds have been allocated by the organization which created the cemetery is enormous and allowing the commission to use principal when sufficient funds exist is not likely to happen. Counties should be allowed the ability to refuse to accept these cemeteries, otherwise resources that should be used for core county functions will be diverted to maintain the cemeteries OR the cemeteries will be allowed to fall into disrepair, because of the lack of available funds.

Oversight notes the county commission which has oversight over trust funds may use the principal of the trust fund to maintain and beautify cemeteries as they deem necessary. Oversight assumes this language in the proposal allows a commission to utilize principal funds for the purpose of the basic maintenance to control the growth of grass and weeds. Oversight sees this as a potential change in policy for county commissions and will reflect a zero impact in the fiscal note.

In response to similar legislation from this year, Perfected HB 2143, officials from **Greene County** assumed the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note.

SEQ CHAPTER 141 Bill as a Whole

Officials from the **Department of Commerce and Insurance**, the **Attorney General's Office**, the **Department of Health and Senior Services**, the **Department of Mental Health**, the **Department of Revenue**, the **Office of the State Courts Administrator**, the **Department of Social Services** and **St. Louis County** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other counties were requested to respond to this proposed legislation but did not. A listing of political subdivisions included in the Missouri Legislative Information System (MOLIS) database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2023 (10 Mo.)	FY 2024	FY 2025
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2023 (10 Mo.)	FY 2024	FY 2025
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

Small businesses should not be fiscally impacted by 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 Commerce and Insurance
Department of Health and Senior Services
Department of Mental Health
Department of Revenue
Department of Social Services
Office of the State Courts Administrator
Attorney General’s Office
St. Louis County
Boone County
Greene County



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June 2, 2022



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June 2, 2022