

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 5893S.01I  
Bill No.: SB 1482  
Subject: Business and Commerce; Department of Commerce and Insurance Corporations;  
Estates, Wills and Trusts; Secretary of State  
Type: Original  
Date: March 22, 2024

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Bill Summary: This proposal modifies provisions relating to the Missouri Family Trust  
Company Act.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
<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.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</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 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

- 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.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Department of Commerce and Insurance (DCI)** assume this bill transfers oversight of Family Trusts and Foreign Family Trusts from the Missouri Secretary of State's Office to the DCI's Division of Finance (DOF).

Sections 362.1010-362.1117 assign oversight of Family Trust and Foreign Family Trusts to the Director or Designee of DOF. This would include registration of new trusts and annual renewal of existing trusts. According to the Secretary of State, there are currently three active Trusts in Missouri. Since those trusts will not be required to submit an initial application, DOF assumes that only an annual registration report accompanied by a \$1,000 filing fee would be collected from each of these trusts, resulting in an income of \$3,000 annually. This funding would be used to provide oversight of Family and Foreign Family Trusts in Missouri. DOF does not anticipate any new trusts filings. The net fiscal impact for this section would be \$0.

The Director of DOF or Designee may perform examinations and investigate allegations of violations of these sections and may charge the trust company for salary and expenses of the examiner or investigator. Since the amount charged would be limited to actual expenses, this section's fiscal impact would net \$0.

The Director may impose penalties and late fees and suspend registrations of a trust for failure to submit a timely registration report. Reinstatement of a trust would occur by submission of the annual registration report, a late fee, and any penalty imposed by the Director. DOF does not anticipate any reports will be submitted late, resulting in fiscal impact for this section as \$0.

The Director shall issue a fee schedule based on the time and resources required to issue certified copies of documents as prescribed in Section 362.110. The section's fiscal impact would net \$0.

All fees and penalties would be deposited to the Family Trust Company Fund (0810) and expenses relating to oversight of these companies would be paid from this fund via a transfer to the Division of Finance Fund (0550). Therefore, DOF assumes the net impact of this proposal is \$0.

**Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note.

**Oversight** assumes the Office of the Secretary of State could have a potential minor savings from the transfer of oversight to Department of Commerce and Insurance but would also experience a loss from the transfer of 3 trusts. Oversight assumes the fiscal impact would ultimately net to \$0 or be immaterial and therefore will not reflect a fiscal impact on the fiscal note.

<u>FISCAL IMPACT – State Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

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

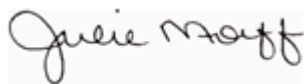
FISCAL DESCRIPTION

The proposed legislation appears to have no direct fiscal impact.

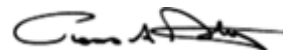
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Commerce and Insurance



Julie Morff  
 Director  
 March 22, 2024



Ross Strope  
 Assistant Director  
 March 22, 2024