

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5423S.01I
Bill No.: SB 938
Subject: Department of Agriculture; Property, Real and Personal; Surveyors
Type: Original
Date: January 27, 2026

Bill Summary: This proposal modifies certain provisions relating to land surveying.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND

FUND AFFECTED	FY 2027	FY 2028	FY 2029
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS

FUND AFFECTED	FY 2027	FY 2028	FY 2029
Missouri Land Survey Fund (1668)*	More or Less than \$792,056	More or Less than \$950,467	More or Less than \$950,467
Total Estimated Net Effect on <u>Other</u> State Funds	More or Less than \$792,056	More or Less than \$950,467	More or Less than \$950,467

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS

FUND AFFECTED	FY 2027	FY 2028	FY 2029
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)

FUND AFFECTED	FY 2027	FY 2028	FY 2029
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 2027	FY 2028	FY 2029
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§59.319 - User Fees for Recording Instruments

Officials from the **Missouri Department of Agriculture (MDA)** states that §59.319 adjusts the \$1.00 fee which was set in 1969, and has not been adjusted since, to \$2.00. The \$1.00 fee is no longer able to sustain the program. The revenue gain is estimated based off historical revenues from documents filed and program expenditures.

Upon further inquiry, the MDA stated that the bill language which increases the fee by \$1.00 has a projected annual revenue estimate of \$2,016,000 with estimated expenditures of \$1,511,988 to give the \$504,012 revenue gain the MDA listed in their fiscal impact response.

Officials from the **Department of Revenue (DOR)** states:

§59.319 County Recorder Fee

Current statutes require that when paperwork is filed with the county recorder of deeds, fees are collected. One of those fees is a \$4.00 fee to be collected by the recorders for recording of any instrument. The \$4 fee is split equally between the recorder of deeds and the state.

This proposal increases the fee collected from \$4.00 to \$5.00. Currently only \$1.00 of the \$2.00 fee received by the state is paid to the MO Land Survey Fund while the remaining \$1.00 is paid to the Office of the Secretary of State for Preservation of Local Records. This increase in fee of \$1.00 is also directed to be given to the MO Land Survey Fund.

Records indicate the following amounts were deposited into the MO Land Survey Fund in recent years.

Fiscal Year	MO Land Survey Fund
2022	\$1,164,184
2023	\$1,250,531
2024	\$948,044
2025	\$950,467

DOR assumes this proposal could result in an additional \$950,467 being deposited in future years based on FY 2025 same number of transactions.

This proposal would become effective August 28, 2026, and would collect only 10 months of increased fees in FY 2027.

Fiscal Year	MO Land Survey Fund Additional Funding
2027	\$792,056
2028+	\$950,467

The Department assumes no fiscal impact from this part of the proposal.

Oversight notes that the current \$4 document filing fee collected by the Recorder of Deeds is split as follows: \$2 is retained by the Recorder of Deeds, \$1 to the Secretary of State for preservation of local records, and \$1 to the Missouri Land Survey Fund.

Oversight notes that this proposal increased the fees collected from \$4 to \$5. The \$1 fee increase is to be directed to the Missouri Land Survey Fund (1668). The fund had a balance of \$1,372,518 as of December 31, 2025.

For fiscal note purposes, **Oversight** will only reflect the additional revenue generated, as estimated by the DOR, as a result of this proposal. Oversight will reflect revenue generated from these fees as more or less than \$792,056 in FY 2027 and an increase in revenue of more or less than \$950,467 in FY 2028 and FY 2029, into in the Missouri Land Survey Trust Fund (1668).

§60.590 – Establishment of Fees for Document Reproduction

Officials from the **Missouri Department of Agriculture** assume the provision will have no fiscal impact on their organization.

Oversight notes §60.590.2 states the MDA shall establish by rule the fees necessary to reflect the costs associated with the production or reproduction under this subsection.

Oversight will reflect a zero impact for this provision in the fiscal note.

Officials from the **DOR** defer to the Department of Agriculture for fiscal impact on this provision.

Responses regarding the proposed legislation as a whole

Officials from the **Office of the State Treasurer** and **Department of Natural Resources** assume the proposal will have no fiscal impact on their respective organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this agency.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other county recorders, county clerks, and county circuit clerks were requested to respond to this proposed legislation but did not. Oversight has presented this fiscal note with the best current information available. Upon the receiving additional responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the

necessary approval to publish a new fiscal note. A general listing of political subdivisions included in our database is available upon request.

Rule Promulgation

Officials from the **Joint Committee on Administrative Rules** assume this proposal is not anticipated to cause a fiscal impact beyond its current appropriation.

Officials from the **Office of the Secretary of State (SOS)** note many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$5,000. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with its core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

<u>FISCAL IMPACT – State Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029
MISSOURI LAND SURVEY FUND (1668)			
<u>Revenue</u> – MDA (§59.319) Increased document filing fees. p.3	More or Less than \$792,056	More or Less than \$950,467	More or Less than \$950,467
ESTIMATED NET EFFECT ON MISSOURI LAND SURVEY FUND (1668)	More or Less than \$792,056	More or Less than \$950,467	More or Less than \$950,467

<u>FISCAL IMPACT – Local Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

There could be a negative fiscal impact on small businesses that file documents at the county level as a result of this proposal.

FISCAL DESCRIPTION

Under the act, a user fee of five dollars, instead of four dollars as currently provided, shall be charged and collected by every recorder of deeds as a condition precedent to the recording of any instrument.

A fee in the amount of two dollars, instead of one dollar as currently provided, shall be paid to the State Treasurer and credited to the "Missouri Land Survey Fund" for purposes of land surveying.

The Department of Agriculture shall establish by rule the fees necessary to reflect the costs associated with the production or reproduction of maps, plats, reports, studies, and records related to land surveys.

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

Missouri Department of Agriculture
Department of Natural Resources
Office of the Secretary of State
Joint Committee on Administrative Rules
Office of the State Treasurer
Department of Revenue



Julie Morff
Director
January 27, 2026



Jessica Harris
Assistant Director
January 27, 2026