

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO.: 3152-02
BILL NO.: HCS for SB 753
SUBJECT: Environmental Protection: Kansas City
TYPE: Original
DATE: April 13, 2000

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Local Government	\$0 to \$25,000	\$0 to \$25,000	\$0 to \$25,000

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 4 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials of the **Department of Natural Resources** stated this proposal does not affect DNR's authority, therefore, the proposal would have no fiscal impact.

In response to similar legislation SB-753 officials of the **Kansas City Manager's Office** stated that enforcement actions are a key component of a Clean Cities program. As is the case for most major cities in the Nation, Kansas City has been battling illegal dumping for many years. With the initiation of an enforcement unit last year, Kansas City is now making headway in catching and penalizing illegal dumpers. In 1999, 1,200 complaints were received on the City's Illegal Dumping Hotline, 217 suspects were identified, and thus far 20 have been or are being prosecuted. To date, Kansas City has a 100% conviction rate.

A major limitation to the effectiveness of the program is the low level of the maximum fine: \$500. For many dumpers, that fine is insufficient incentive to stop them from illegally dumping material and pay for proper disposal. Coupled with an active enforcement program, raising the fine to \$1000 would provide a significant financial disincentive to stop these criminals from illegally dumping their waste materials.

There is a direct and indirect financial impact on the City. We project achieving 50 prosecutions per year with a mature program. With the maximum penalty, the additional revenue to the City would be \$25,000 (50 times \$500). Over the years, the result of a successful program will be an ultimate decrease in dumping and a concomitant decrease in prosecutions and therefore revenue.

Oversight assumes that to allow Kansas City to enact ordinances against dumping and littering is permissive.

According to Kansas City officials, the city currently has an enforcement unit in operation, therefore, Oversight assumes no new cost for enforcement in the fiscal note.

Oversight will show an increase in revenue due to the increase in allowed fines from \$500 to \$1000. According to Kansas City officials the increase in fine revenue would be approximately \$25,000. Oversight will show fiscal impact as \$0 to \$25,000 because a decrease in fine revenue is expected in following years.

Kansas City officials noted that Section 82.1050 would set up a pilot program of landlord registration of landlords who lease property within Kansas City. Officials stated that Kansas City currently has an ordinance that requires landlords to register and would expect no fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	\$0	\$0	\$0

<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
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<u>Income to Kansas City</u>			
for increase in fines for illegal dumping	\$0 to \$25,000	\$0 to \$25,000	\$0 to \$25,000

FISCAL IMPACT - Small Business

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

DESCRIPTION

This act permits Kansas City to enact ordinances against illegal and unauthorized dumping and littering and to punish violations by a fine up to \$1,000 or imprisonment up to 12 months, or both.

This proposal establishes a landlord registration pilot project in Kansas City beginning January 1, 2001, and ending January 1, 2006. Landlords who lease property within Kansas City are required to complete a registration form with the city; the form would require address and telephone information for the purpose of contacting landlords or their legal representative to ensure compliance with safety and code requirements. The city is required to submit an annual report to the Governor and to the General Assembly regarding the effectiveness of the registration program in promoting compliance with and enforcement of public safety and code regulations.

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

RWB:LR:OD:005 (9-94)

L.R. NO. 3152-02
BILL NO. HCS for SB 753
PAGE 4 OF 4
April 13, 2000

Department of Natural Resources
Kansas City Managers Office

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is written in a cursive, somewhat stylized font.

Jeanne Jarrett, CPA
Director
April 13, 2000