

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO.: 4102-01
BILL NO.: SB-915
SUBJECT: Attorney General: Cemeteries, Local Government
TYPE: Original
DATE: February 10, 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	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 3 pages.

ASSUMPTION

Department of Natural Resources officials stated that they are not considered a city, town or village and would not have to take ownership of abandoned cemeteries.

Officials stated that DNR currently owns three cemeteries, which are designated as historic sites and some of the parks and historic sites do have cemeteries within their boundaries. These cemeteries are maintained by the Division of State Parks and are not considered abandoned, therefore, this proposal would have no fiscal impact for the DNR.

Department of Economic Development - Professional Registration officials assume no fiscal impact.

The **Office of Attorney General** did not respond.

Oversight assumes this proposal would not add any new duties to the Attorney General, therefore, Oversight assumes the Attorney General would have no fiscal impact.

Oversight assumes that cities or counties would have no fiscal impact.

City of St. Joseph officials assume no fiscal impact.

The **Boone County Clerk** assumes this proposal is permissive, and would have no fiscal impact.

City of Hannibal officials assume 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
	\$0	\$0	\$0

FISCAL IMPACT - Small Business

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

DESCRIPTION

This act authorizes the Attorney General to seek dissolutions in the Circuit Court of any DESCRIPTION (continued)

corporate entity or trust owning an abandoned or neglected cemetery and to transfer ownership to a not-for-profit corporation or association for the care and operation of the cemetery.

Any encumbrances or liens against the cemetery would be extinguished when the property is transferred. All funds and property would pass to the not-for-profit corporation or charitable and religious association for operation and maintenance of the cemetery.

In the event that the not-for-profit corporation, or the charitable or religious association desires to sell the cemetery or convey future rights for interment the same must elect to operate as an endowed care cemetery.

In current law, the city or county may assume ownership of an abandoned cemetery and operate it as a public cemetery. This provision remains intact.

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 Economic Development - Professional Registration
Department of Natural Resources
City of St. Joseph
Boone County Clerk
City of Hannibal

NOT RESPONDING

Office of Attorney General
and the Cities of: St. Louis, Kansas City, Ste. Genevieve, Springfield, Fulton, Mexico, Hermann and Rolla; and the Counties of: Callaway, Warren, Gasconade, Buchanan, Marion, New Madrid, Greene, and Jasper.



Jeanne Jarrett, CPA
Director
February 10, 2000