

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. NO.: 4102-01  
BILL NO.: Perfected SB 915  
SUBJECT: Attorney General: Cemeteries, Local Government  
TYPE: Original  
DATE: March 15, 2000

**FISCAL SUMMARY**

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

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
<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 LOCAL FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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.

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### DESCRIPTION

This act authorizes the Attorney General to seek dissolutions in the Circuit Court of any 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 internment 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  
March 15, 2000

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