

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2372-04
Bill No.: SB 2
Subject: Agriculture and Animals: Business and Commerce
Type: Original
Date: September 5, 2001

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials of the **Department of Agriculture (AGR)** and **State Courts Administrator (CTS)** assume this proposal would have no fiscal impact on their agencies. Officials of the **Attorney General's Office (AGO)** assume enforcement of the provisions in the bill could be managed with existing resources.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	\$0	\$0	\$0

<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	\$0	\$0	\$0

FISCAL IMPACT - Small Business

Livestock producers and small businesses involved in the meat packing industry could be fiscally impacted by this proposal.

DESCRIPTION

This bill repeals two sections pertaining to livestock packers and creates three sections also pertaining to livestock packers.

The bill repeals Section 277.203, RSMo, (which prohibits livestock packers from price discriminating) and creates a new section that makes it unlawful for any packer to engage in unfair, unjustly discriminatory, or deceptive practices; or to engage in any course of business for the purpose of or with the effect of manipulating or controlling prices, restraining commerce, or creating a monopoly.

The bill directs enforcement of this law to be consistent with the federal Packers and Stockyards

DESCRIPTION (continued)

Act (7 U.S.C.A., Section 9) as it relates to live cattle, swine, or sheep.

The bill repeals and reenacts Section 277.212, RSMo. The new section removes parties injured by violations of the livestock packer law from the provision regarding who may bring action for unlawful merchandising practices. Only the Attorney General may bring this action. The bill also removes the provision which allows damages, costs and attorney's fees to sellers who have received or were offered a discriminatory price.

The bill makes the adoption of the proposed changes an emergency act in order to provide continuity within the livestock packing industry.

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 Agriculture
Attorney General's Office
State Courts Administrator



Jeanne Jarrett, CPA
Director
September 4, 2001