

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3347-01  
Bill No.: HB 924  
Subject: Architects: Economic Development Dept; Licenses - Professional  
Type: Original  
Date: March 29, 2004

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
General Revenue	Unknown	Unknown	Unknown
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>Unknown</b>	<b>Unknown</b>	<b>Unknown</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Board of Architects, Professional Engineers, Land Surveyors, and Landscape Architects*	\$0	\$0	\$0
<b>Total Estimated Net Effect on Other State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**\*Offsetting costs of litigation and recovery of costs net to zero**

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

#### **FISCAL ANALYSIS**

##### **ASSUMPTION**

Officials from the **Office of State Courts Administrator** stated this proposal would have no fiscal impact on the Courts.

Officials from the **Office of Administration - Administrative Hearing Commission** anticipate that this proposal will not significantly alter its caseload. However, if other similar bills also pass, there would be fiscal impact. If there are more cases, or more complex cases, there could be a fiscal impact.

Officials from the **Department of Transportation** assumes the proposal will have no fiscal impact on their agency.

Officials from the **Department of Corrections** stated this proposal would have zero to minimal fiscal impact.

Officials from the **Office of Prosecution Services** stated any costs to prosecutors resulting from this proposal would be absorbed with existing resources.

Officials from the **Office of Administration - Division of Budget and Planning (BAP)** assume the proposal will not result in additional costs or savings to BAP. The proposed legislation may increase total state revenue.

ASSUMPTION (continued)

Officials from the **Office of Attorney General (AGO)** assume they will need a .5 FTE to assist the Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects in issuing and enforcing subpoenas, representation at administrative hearings, and enforcing and recovering civil penalties.

**Oversight** assumes the AGO will be reimbursed for services from the Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects Fund. In addition, the Attorney General may commence an action to recover reasonable attorney fees.

Officials from the **Department of Revenue - Division of Taxation (DOR)** stated that while this proposal will directly affect total State Revenue, the proposal have no fiscal impact on DOR since the department serves as a cashiering function only.

Officials from the **Department of Economic Development - Division of Finance** stated that this proposal will have no fiscal impact on their division. Recovery of expenses will result in a “wash” to the Board of Registration for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects Board Fund. Any civil penalties collected will be deposited in the state General Revenue Fund.

Officials from the **Office of Secretary of State (SOS)** assumed the rules, regulations and forms issued by the Department of Economic Development could require as many as 4 pages in the *Code of State Regulations*. For any given rule, roughly half again as many pages are published in the *Missouri Register* as in the Code because cost statements, fiscal notes and the like are not repeated in the Code. These costs are estimated. The estimated cost of a page in the *Missouri Register* is \$23. The estimated cost of a page in the *Code of State Regulations* is \$27. The actual costs could be more or less the SOS’s estimated cost of \$246 for FY 2005. The impact of this legislation in future years is unknown and depends upon the frequency and length of rules, filed, amended, rescinded or withdrawn.

**Oversight** assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

**This proposal will increase total State Revenue**

<u>FISCAL IMPACT - State Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
<b>GENERAL REVENUE</b>			
<u>Income</u> - Collected civil penalties	Unknown	Unknown	Unknown
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
<b>BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND LANDSCAPE ARCHITECTS FUND</b>			
<u>Income</u> - Recovery of Costs and Expenses of investigations and hearings	Unknown	Unknown	Unknown
<u>Cost</u> - Costs and Expenses of investigations and hearings	(Unknown)	(Unknown)	(Unknown)
<b>ESTIMATED NET EFFECT ON BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND LANDSCAPE ARCHITECTS FUND</b>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

Businesses employing architects, professional engineers, land surveyors and landscape architects that are assessed civil penalties and costs could see a direct negative fiscal impact as a result of this proposal.

## DESCRIPTION

This proposal prohibits persons from practicing architecture, engineering, land surveying, or landscape architecture in this state without being duly licensed by the Missouri Board for Architects, Professional Engineers, Land Surveyors, and Landscape Architects (Board).

The proposal gives the Board authority to file complaints with the Administrative Hearing Commission, initiate investigations, issue subpoenas, and to file with courts of competent jurisdiction for civil penalties to be imposed against persons which are in violation of the provisions of the proposal.

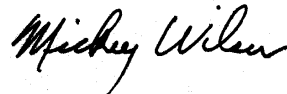
The proposal also places limits on the civil penalties, specifies when the penalties will be paid, and gives the Attorney General the authority to commence action to recover penalties. All penalties collected will be deposited in the General Revenue Fund; and any money assessed and collected by the Board to defray the costs and expenses incurred in connection with investigations and hearings will be placed in the State Board for Architects, Professional Engineers, Land Surveyors, and Landscape Architects Fund.

Any person practicing these professions without a license is guilty of a class A misdemeanor.

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  
Division of Professional Registration  
Office of Administration  
Administrative Hearing Commission  
Division of Budget and Planning  
Office of Attorney General  
Office of State Courts Administrator  
Office of Prosecution Services  
Department of Corrections  
Department of Revenue  
Division of Taxation  
Office of Secretary of State  
Administrative Rules Division  
Office of State Public Defender  
Department of Transportation



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