

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5025-01
Bill No.: HB 1976
Subject: Counties: Planning and Zoning
Type: Original
Date: April 3, 2006

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
General Revenue	\$0	Unknown	Unknown
Total Estimated Net Effect on General Revenue Fund	\$0	Unknown	Unknown

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
State School Moneys	\$0	\$0	\$0
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

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

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Local Government	Unknown	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Elementary and Secondary Education (DESE)** assume there is no state cost to the foundation formula associated with this proposal. Should the new crimes and amendments to current law (Section 64.1033.1) result in additional fines or penalties, DESE cannot know how much additional money might be collected by local governments or the DOR to distribute to the schools. To the extent fine revenues exceed 2004-2005 collections, any increase in this money distributed to schools increases the deduction in the foundation formula the following year. Therefore, the affected districts will see an equal decrease in the amount of funding received through the formula the following year; unless the affected districts are hold-harmless, in which case the districts will not see a decrease in the amount of funding received through the formula (any increase in fine money distributed to the hold-harmless districts will simply be additional money). An increase in the deduction (all other factors remaining constant) reduces the cost to the state of funding the formula.

ASSUMPTION (continued)

Officials of the **Department of Natural Resources** assume no fiscal impact.

Officials of the **Office of State Court Administrator** assume no fiscal impact to the Court.

Officials of the **Missouri Department of Conservation** assume no fiscal impact.

Officials of **Hickory County** assume no fiscal impact.

Officials of the **Sullivan County** assume this proposal is permissive. Officials assume if this proposal would be adopted by the county there would be significant costs to the county.

Oversight assumes this proposal is permissive. Counties would have no fiscal impact unless their governing body would at their discretion ask voters to establish a County Planning Commission, or if the County Commission would receive a petition from the citizens to place the question on the ballot. **Oversight** assumes this proposal as written does not require counties to establish Planning Commissions. **Oversight** will show fiscal impact as \$0.

Oversight sent response request to the counties of : Cass, Cole, Callaway, Bates, Butler, Johnson, Lafayette, Greene Franklin, and many others and received no response.

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
---	---------------------	---------	---------

GENERAL REVENUE FUND

Savings – Reduced appropriations to
State School Moneys Fund
(Section 64.1033)

<u>\$0</u>	<u>Unknown</u>	<u>Unknown</u>
------------	----------------	----------------

**ESTIMATED NET EFFECT ON
GENERAL REVENUE FUND**

<u>\$0</u>	<u>Unknown</u>	<u>Unknown</u>
------------	----------------	----------------

FISCAL IMPACT - State Government
(continued)

FY 2007
(10 Mo.)

FY 2008

FY 2009

STATE SCHOOL MONEYS FUND

Savings – Reduced distributions to local
school districts (Section 64.1033)

\$0

Unknown

Unknown

Losses – Reduced appropriations from
General Revenue Fund (Section 64.1033)

\$0

(Unknown)

(Unknown)

**ESTIMATED NET EFFECT ON
STATE SCHOOL MONEYS FUND**

\$0

\$0

\$0

FISCAL IMPACT - Local Government

FY 2007
(10 Mo.)

FY 2008

FY 2009

POLITICAL SUBDIVISIONS

Revenues – School Districts
Income from fines (Section 64.1033)

Unknown

Unknown

Unknown

Losses – School Districts
Reduced distributions from State
School Moneys Fund (Section 64.1033)

\$0

(Unknown)

(Unknown)

**ESTIMATED NET EFFECT ON
POLITICAL SUBDIVISIONS**

Unknown

\$0

\$0

FISCAL IMPACT - Small Business

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

DESCRIPTION

This bill establishes the Missouri County Planning Act. In its main provisions, the bill:

- (1) Allows for the establishment of a County Planning Commission comprised of appointed members to prepare a comprehensive plan for the county. The planning commission may be established directly by the County Commission or may be formed after a petition proposal and voter approval;
- (2) Specifies the powers and duties of the planning commission;
- (3) Specifies the elements of the comprehensive plan and the procedures for its consideration, hearing, and adoption by the planning commission and the County Commission;
- (4) Authorizes the planning commission to recommend subdivision regulations after a public hearing and authorizes the County Commission to adopt the regulations;
- (5) Authorizes the planning commission to adopt a major street plan for all unincorporated areas of the county in accordance with the transportation element of the comprehensive plan;
- (6) Authorizes the planning commission to recommend zoning regulations for all unincorporated areas of the county in accordance with the comprehensive plan after a public hearing and authorizes the County Commission to adopt the regulations;
- (7) Requires counties that have adopted zoning regulations under the bill to appoint a County Board of Zoning Adjustment to hear and decide appeals of zoning decisions and applications for variances. The hearing and appeals procedures are specified;
- (8) Specifies that violations of any regulations adopted under the bill are misdemeanors and authorizes certain counties to impose fines for these violations;
- (9) Authorizes the grandfathering of actual lawful uses of property in existence on August 28, 2006;
- (10) Authorizes counties to enter into cooperative agreements with public or private entities for the exercise and performance of the established planning powers, duties, and functions; and
- (11) Clarifies that nothing contained in the bill will affect the existence or validity of a county ordinance or order adopted prior to August 28, 2006.

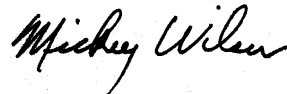
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Natural Resources
Office of State Court Administrator
Missouri Department of Conservation
Department of Elementary and Secondary Education
Hickory County Clerk
Sullivan County Clerk

NOT RESPONDING

Oversight sent response request to the counties of : Cass, Cole, Callaway, Bates, Butler, Johnson, Lafayette, Greene Franklin, and many others and received no response.

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Director
April 3, 2006