

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0052H.03P
Bill No.: Perfected HCS for HB Nos. 165 & 196
Subject: County Officials; County Government; Counties; Elections
Type: Original
Date: April 13, 2021

Bill Summary: This proposal establishes procedures for counties.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on FTE	0	0	0

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Local Government	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

FISCAL ANALYSIS

ASSUMPTION

§§49.055, 49.056 & 49.057 – Recalling a County Commissioner

Officials at the **Platte County Board of Elections** assume a cost of \$70,000 to hold a countywide recall election from this proposal.

Officials from **Boone County** state this proposal is not without cost and that the cost, in actual expenditures, is not insubstantial. Boone County did not state a specific cost for this proposal. Therefore, **Oversight** will assume a negative unknown cost for the county.

In response to similar legislation from 2019, HB 580, officials at **Greene County** assumed a cost to hold a special election of \$110,000 from this proposal.

Oversight will reflect a ranged fiscal impact from \$0 (no recall petitions filed) to an unknown impact to counties for the potential costs involved in verifying signatures and holding a special election.

Officials from the **Office of the Secretary of State** and the **Joint Committee on Administrative Rules** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Officials from the **St. Louis City Board of Elections** and the **St. Louis County Board of Elections** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other local election authorities and counties were requested to respond to this proposed legislation, but did not. A general listing of political subdivisions included in our database is available upon request.

House Amendment 1

Oversight notes this amendment relates to a title change and will have no direct impact on the proposal.

House Amendment 2 - §§49.310 & 476.083 - Establishes rules for certain areas of the courthouse and county offices

In response to similar legislation from year (HB 678), officials from the **Office of the State Courts Administrator (OSCA)** assumed this part of the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these sections of the proposal.

Oversight assumes this proposal is establishing rules, in the absence of a local agreement, for any courthouse that contains both a county offices and court facilities. Oversight assumes this proposal will not have a direct fiscal impact to the state or to county governments.

House Amendment 3 - §137.275 – Taxpayer receipts from County Board of Equalization Appeals

In response to similar legislation from this year (HCS for HB 718), officials from the **State Tax Commission** and the **Department of Revenue** each assumed the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

In response to similar legislation from this year (HCS for HB 718), officials from the **Lincoln County Assessor’s Office** assumed the proposal will have no fiscal impact on their organization.

In response to similar legislation from this year (HCS for HB 718), officials from the **St. Louis County Assessor’s Office** stated there will be additional costs for postage, envelopes, paper and staffing as required to track and send verification of receipt of appeal applications. Note that more appeals are received in reassessment years. Appeals are received from the first week of May through the second Monday of July each calendar year. They calculated 5,000 appeals for both 2022 and 2024 and 27,000 appeals for 2023. Staff time is calculated at \$20/hour for 100 hours in 2022 and 2024 and 350 hours in 2023. Envelopes cost \$14.87 per 1,000. A case of paper with 10 reams of 500 sheets per ream costs \$30.30 per case. Postage is \$0.55 per stamp.

FY 2022: \$4,854
FY 2023: \$23,516
FY 2024: \$4,854

If this proposal were to pass, this would increase costs and put more strain on the St Louis County Board of Equalization (BOE). The BOE already communicates with every individual that files an appeal by sending the notice of the appeal hearing date once scheduled. Taxpayers also can reach the BOE office by email, phone or in-person to inquire on the status of their appeal at any time.

In response to similar legislation from this year (HCS for HB 718), officials from the **City of St. Louis** assumed the proposal will have no fiscal impact on their organization.

In response to a similar proposal, HB 2451 (2020), officials from the **St. Genevieve County Assessor’s Office** stated this responsibility is handled by the County Clerk, Secretary to the County Board of Equalization. They have confirmed with their office that notification is already being sent to a taxpayer filing an appeal with the BOE.

Oversight assumes this proposal could result in additional costs for some county assessors or county clerks; therefore, Oversight will show a potential unknown cost to local political subdivisions.

If passed Oversight notes this proposal would be effective August of 2021. Appeals are received May through July; therefore, Oversight will show costs beginning in FY 2022 (May 2022).

Oversight received a limited number of responses from county assessors and county clerks related to the fiscal impact of this proposal. Oversight has presented this fiscal note on the best current information available. Upon the receipt of additional responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval to publish a new fiscal note.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other county assessors and county clerks were requested to respond to this proposed legislation but did not. A general listing of political subdivisions included in our database is available upon request.

<u>FISCAL IMPACT –</u> <u>State Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
LOCAL POLITICAL SUBDIVISIONS (LPS)			
<u>Costs – First Class Counties - potential costs from signature verification and/or special election for recall petition of commissioner(s) (§§49.055, 49.056 & 49.057) p. 3</u>	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<u>Costs – LPS – postage, materials and staff time to send confirmation notice of appeal (\$137.275) p. 4-5</u>	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

§§49.055, 49.056 & 49.057 – Recalling a County Commissioner

This bill establishes a petition procedure for recalling county commissioners or presiding county commissioners in counties of the first classification. The commissioner to be recalled must have held office for at least six months and cannot be a candidate to succeed himself or herself at the election to fill the vacancy. Recall elections must also be held at least nine months before the end of a commissioner's term.

The petition is required to have a number of signatures equal to at least 10% of the total number of registered voters in the county voting in the last election at which the commissioner was

elected, and must state the reason for which the recall is sought: misconduct in office; incompetence; or failure to perform duties prescribed by law. Additional procedural requirements are set out in the bill.

At least 60% of the qualified voters voting on the question must vote for removal, otherwise the commissioner shall continue to serve for the remainder of the term.

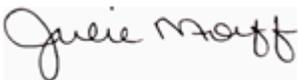
§137.275 – Taxpayer receipts from County Board of Equalization Appeals

This bill requires a County Board of Equalization to promptly issue a notification to a person lodging an appeal of a property assessment confirming that the appeal has been received.

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

Platte County Board of Elections
Boone County
Greene County
Office of the Secretary of State
Joint Committee on Administrative Rules
St. Louis County Board of Elections
St. Louis City Board of Elections
Office of the State Courts Administrator
State Tax Commission
Department of Revenue
Lincoln County Assessor's Office
St. Louis County Assessor's Office
St. Louis City
St. Genevieve County Assessor's Office



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April 13, 2021



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