

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1458H.01I
Bill No.: HB 607
Subject: Landlords and Tenants; Political Subdivisions; Counties; Property, Real and Personal
Type: Original
Date: February 4, 2021

Bill Summary: This proposal authorizes adoption of a property maintenance code and establishes nuisance actions in Boone County.

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.

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

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Columbia/Boone County Public Health and Human Services (PHHS)** assume this proposal will result in an unknown cost since the PHHS will be involved in some of the inspections. It is not clear how many facilities will require inspections.

Oversight notes the proposal is permissive in nature and would not have a local fiscal impact without the action of the county commissioners of Boone County to adopt rules, regulations or ordinances on rented residences. Oversight notes should the commission take action on this proposal, penalties and civil fines could be assessed in the rules. Oversight assumes some of the fine revenue could offset some of the costs of inspections that could be done. Therefore, Oversight will reflect a fiscal impact that will net to \$0 (no maintenance code adopted by Boone County Commission) to (Unknown) cost since the cost of maintenance and repairs may be more than the fine revenue.

Officials from the **Office of the State Courts Administrator**, the **Department of Commerce and Insurance**, the **Department of Health and Senior Services**, the **Department of Natural Resources**, the **Department of Labor and Industrial Relations**, the **Department of Public Safety's Office of the Director** and the **Missouri Office of Prosecution Services** 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 counties and county health departments 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
	\$0	\$0	\$0

<u>FISCAL IMPACT – Local Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
BOONE COUNTY			
<u>Revenues – civil fines and penalties</u>	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Costs – to implement</u>	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>
ESTIMATED NET EFFECT ON BOONE COUNTY FUNDS	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

This bill authorizes certain counties of the first classification to adopt property maintenance regulations and ordinances to ensure the habitability of a rented residence by requiring that it provide structural protection from the elements, access to water service, sewer service, electrical service, heat, and basic security such as locking doors and windows.

The unavailability of a utility service due to nonpayment does not count as a violation of the property maintenance code.

If a county enacts a property maintenance code, the minimum required provisions to be included in the regulations or ordinances are specified in the bill. The property maintenance code requires the county commission to create a process for selecting a designated officer to respond to written complaints of the condition of a rented residence that threaten the health or safety of the tenants. When a written complaint is filed, the owner of any rental residence must be served with a notice specifying the condition alleged in the complaint and state a reasonable date abatement of the condition must commence. If work to abate the condition does not commence as determined by the designated officer, the complaint shall be given a hearing before the county commission. If

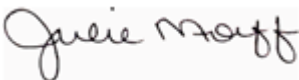
the county commission finds that the rented residence has a dangerous condition that is harmful to the health, safety, or welfare of the tenant, the county commission shall issue an order that the condition be abated. If the owner violates an order issued by the county commission the owner may be punished by a penalty, which shall not exceed a class C misdemeanor.

Upon enactment the property maintenance code provisions will apply to Boone County.


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

Columbia/Boone County Public Health and Human Services
Office of the State Courts Administrator
Department of Commerce and Insurance
Department of Health and Senior Services
Department of Natural Resources
Department of Labor and Industrial Relations
Department of Public Safety
Missouri Office of Prosecution Services



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February 4, 2021



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