

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2470H.02C
Bill No.: HCS for HB 1320
Subject: Animals; Fishing And Hunting; Agriculture; Agriculture, Department Of
Type: Original
Date: March 29, 2021

Bill Summary: This proposal changes provisions governing feral swine.

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	\$0	\$0

*Revenue and distributions net to zero.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Corrections, Missouri Highway Patrol, the Office of the State Public Defender, Missouri Office of Prosecution Services and Office of the State Courts Administrator** 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.

In response to a previous version, officials from the **Missouri Department of Agriculture** assumed the proposal would 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 this agency.

In response to a previous version, officials from the **Missouri Department of Conservation (MDC)** assumed this proposal would cause an unknown fiscal impact. MDC did not indicate whether this unknown impact would be positive or negative.

Oversight notes this proposal requires those that intentionally or knowingly release any swine to live in a wild or feral state upon any public land or private land must provide up to \$5,000 in restitution to the county commission of the county in which the offense occurred. The county commission must then distribute the amount of restitution in the form of grants to landowners of the land upon which the offense occurred OR provide a reward not more than \$2,500 for information leading to the arrest and conviction of the offender. Oversight notes, according to a report from Office of the State Courts Administrator, there were no conviction from charges from Section 270.260 for fiscal years 2018 – 2020. Oversight is unable to determine how many offenders there could be; therefore, Oversight will reflect a “\$0 or Unknown” amount of revenue to county commissions and a “\$0 or Unknown” amount of grants to those landowners that are affected.

Oversight could not find any activity in an Animal Health Fund created in Section 270.400; therefore, Oversight assumes deleting this language would not have a fiscal impact to the state.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, 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.

<u>FISCAL IMPACT – 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
COUNTY COMMISSIONS			
<u>Revenue – restitution from offenders 270.260.1(2)</u>	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
<u>Cost – grants for landowners OR rewards for information leading to the arrest and conviction of offenders</u>	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
ESTIMATED NET EFFECT ON COUNTY COMMISSIONS	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

Currently, any person who intentionally or knowingly releases any swine to live in the wild or possesses or transports certain live wild boar without a permit from the Department of Agriculture is guilty of a class A misdemeanor. This bill also requires any person found guilty to provide up to \$5,000 in restitution for damages to the county commission of the county in which the offense occurred. The county commission must use the restitution as specified in the bill.

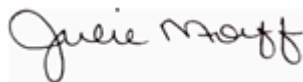
The bill also changes the term "feral hog" to "feral swine" and specifies that no person, except the landowner and his or her agency, may take or attempt to take a feral swine with the use of night vision, infrared, or thermal imaging devices. However, this does not prohibit a landowner or his or her agent from using such devices.

The bill also repeals the requirements for the Department of Agriculture to promulgate rules relating to fencing and health standards for certain wild boar and swine held on private property.

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

Missouri Department of Agriculture
Missouri Highway Patrol
Department of Corrections
Office of the State Public Defender
Missouri Office of Prosecution Services
Office of the State Courts Administrator
Missouri Department of Conservation



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March 29, 2021



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