

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 6814-03
Bill No.: HCB 23
Subject: Political Subdivisions; Lobbying; Water Resources and Water Districts; Roads and Highways; Counties; Cities, Towns and Villages; Motels and Hotels; Law Enforcement Officers and Agencies; Taxation and Revenue - Sales and Use; Elections
Type: Original
Date: April 6, 2018

Bill Summary: This proposal modifies provisions relating to political subdivisions.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
General Revenue	\$0	\$0 or Could exceed \$127,531	\$0 Could exceed \$170,040
Total Estimated Net Effect on General Revenue	\$0	\$0 or Could exceed \$127,531	\$0 or Could exceed \$170,040

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 23 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
Total Estimated Net Effect on FTE	0	0	0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
Local Government	\$0 or Less than \$23,395,777	\$0 or Less than \$36,021,313	\$0 or Less than \$40,229,825

FISCAL ANALYSIS

ASSUMPTION

§§49.060, 105.030

Officials at the **Office of the Governor** assume no fiscal impact from this proposal.

In response to similar legislation from this year, HB 1428, officials at **Boone County** assumed no fiscal impact from this proposal.

In response to similar legislation from 2017, HCS for HB 54, officials at the **Platte County Board of Election Commissioners** and the **Callaway County Commission** each assumed no fiscal impact to their respective entities from this proposal.

Officials at the Clay County Board of Election Commissioners did not respond to **Oversight's** request for fiscal impact.

§59.800

Officials at the **Office of Administration's Division of Budget and Planning** assume this proposal requires charging an additional fee of five dollars to be collected by the Recorder of Deeds on each instrument recorded. This new fee will impact TSR and 18e calculations.

In response to similar legislation from this year, HB 2243, officials at the **Mississippi County Recorder of Deeds Office** assumed this proposal could have an impact on this office if this bill isn't passed. That impact could be as much as \$45,000 to \$49,000 for the county general revenue. Should the "Statutory County Recorder's Fund" run dry then the impact would cost this county the amounts that were previous talked about. The Mississippi County Recorder's Office annual budget is in the neighborhood of \$70,000, so this would have a huge impact in the event that this fund should run dry. Back in 2002 several counties elected to split the offices of Circuit Clerk and Recorder of Deeds with the promise that the State would help subsidize those offices. This bill will not allow the counties to get their full subsidy, but will allow the counties to be able to continue receiving some support from the state.

Oversight inquired the Mississippi County Recorder of Deeds Office. If this proposal is enacted, there will be a decrease in the amount of subsidies received from the state for the County. The decrease would be a small impact to the County between \$5,000 and \$7,000 per year. Oversight assumes that multiple counties could be affected from this legislation. Oversight also assumes the reduction in losses to counties will be less than under current law. Therefore, Oversight will reflect an unknown reduction in loss to County Recorder of Deeds Offices.

ASSUMPTION (continued)

In response to similar legislation from this year, HB 2243, officials at **St. Louis County** assumed no fiscal impact from this proposal.

\$\$67.960, 67.965, 82.487, 82.505

In response to similar legislation from this year, HCS for HB 2383, officials at the **City of St. Louis** assumed a negative fiscal impact from this proposal. The Office of Financial Empowerment in the St. Louis Treasurer's Office was established by City ordinance No. 69809 (2014) as amended by City Ordinance No. 70057 (2015). These ordinances provided the Treasurer's office the local authorization for establishing the office as well as funding it from an increase in the net funded position of Parking Division funds. Ordinance No. 70057 further stipulates that said funding of the office is not to limit any portion of the funds to be allocated to the City's General Fund as designated in 82.485,RSMo. (Which stipulates the payment of up to 40% of the net change in parking meter fund balance.)

The proposed legislation seeks to codify the office of Financial Empowerment into state law. By doing so, however, the statute would remove the discretionary authority of the local legislative body to establish said office and to determine the use of what are essentially local funds. In addition, the proposed legislation makes no allowance or provision that the funding of the office is not to impair payments to City general revenue and the amended bill further adds the provision specific to the City of St. Louis that the Treasurer, as the parking supervisor, may make an annual appropriation to the budget of the Office of Financial Empowerment for operating expenses using moneys from the parking meter fund. The proposal is unclear on whether the appropriation requires approval of the Parking Commission.

This further removes appropriation authority from the local legislative body and would essentially allow for unchecked spending of parking division funds at the expense of City general revenue. Based on FY17 parking division results, the 40% of net change in fund balance will equate to \$1.7M in payments to City general revenue in the current fiscal year, all or portions of which could be jeopardized under the proposed legislation.

In response to similar legislation from this year, HCS for HB 2383, officials at the **City of St. Louis Treasurer's Office** assumed this proposal is meant to codify the Office of Financial Empowerment in state statute. The office is already created and has been in operation since 2015. Thus, it is the Office's position there is no fiscal impact to the City.

Oversight assumes this proposal is codifying the Office of Financial Empowerment into state statute. Oversight also assumes the total amount of parking revenue will not change and there may be differing effects on city departments (or city funds), but the net effect to the City of St. Louis will net to zero. Therefore, Oversight will not reflect a fiscal impact to the City of St. Louis.

ASSUMPTION (continued)

Oversight also assumes this proposal gives authority to any county to establish, as a division of the treasurer's office, the Office of Financial Empowerment codified in statute. Oversight assumes it will be up to the governing body of each county to establish this office as needed. Therefore, Oversight will reflect a \$0 fiscal impact for this proposal.

In response to similar legislation from this year, HCS for HB 2383, officials at **St. Louis County** assumed no fiscal impact from this proposal.

§67.1360

Officials at the **Office of Administration Division of Budget and Planning** assume this provision will allow the cities of Archie and Lake Winnebago to submit a hotel room tax to a popular vote. As the provision is subject to popular vote, it will not impact 18e or Total State Revenue. However, if DOR charges a collection fee, those funds will be deposited into General Revenue and will increase Total State Revenue by an unknown amount.

In response to similar legislation from this year, HB 1485, officials at the **City of Archie** stated they do not have any data to allow them to calculate the amount of revenue this could generate should it pass.

In response to a similar proposal from 2017 (HB 899), officials from the **City of Archie** advised us there are not currently any hotels or motels, or any other type of business in their city which would be subject to this proposed tax.

Oversight assumes this proposal would have no fiscal impact until and unless there is a taxable base and local officials submit a proposed tax to the voters.

In response to similar legislation from this year, HB 1485, officials from **Cass County** did not respond to Oversight's request for information.

§67.4600

Officials at the **Office of Administration's Division of Budget and Planning (B&P)** assume this section creates the Education and Job Training Television Broadcast District that requires a tax levy not to exceed eight cents per one hundred dollars of assessed valuation upon all taxable property within the district for the purpose of education and job training. B&P cannot estimate the potential revenue generation from such tax levy. As the provision is subject to popular vote, it will not impact 18e or TSR. If DOR charges a collection fee, those funds will be deposited in GR and will increase TSR by an unknown amount.

ASSUMPTION (continued)

In response to similar legislation from this year, SB 1059, officials at the **City of St. Louis** assumed the passage of this legislation would provide an increase in revenue to the City, the Assessor's Office and the Collector of Revenue.

Based on the Total Assessed Valuation of the City for 2017 of \$4,581,989,280 , an \$.08 property tax would generate \$3,665,591 in revenue ($(\$4,581,989,280/100)*$.08$). Of that amount, \$54,894 would go to the Collector of Revenue for Commissions and \$22,910 would go to the Assessment Fund for the Assessor's withholding. There would be no cost to the Assessor's Office to implement this legislation.

Officials at the **Office of the Governor** assume this proposal creates the Education and Job Training Television Broadcast Fund that is to be managed by a commission whose chairperson is appointed by the Governor. There should be no added cost to the Governor's Office as a result of this measure. However, if additional duties are placed on the office related to appointments in other TAFP legislation, there may be the need for additional staff resources in future years.

In response to similar legislation from this year, SB 1059, officials at the **St. Louis County Board of Election Commissioners** assumed no fiscal impact from this proposal.

Oversight assumes this proposal is permissive in nature and would have no local fiscal impact without action by the governing bodies of St. Louis City and St. Louis County and approval by the majority of voters in both the City and County. Oversight notes that the assessed value for the City of St. Louis for 2018 is \$4,582,785,735 and that the assessed value for St. Louis County for 2018 is \$24,661,935,680. (Source: Missouri Association of Counties) The combined assessed value is \$29,244,721,415 would yield \$23,395,777 at a tax rate of \$.08/\$100 assessed value. Oversight will reflect a \$0 (no approval) or up to \$23,395,777 in property tax revenue for the Education and Job Training Television Broadcasting District for this proposal.

§88.770

In response to similar legislation from this year, SB 658, officials at **Boone County** and **St. Louis County** each assumed no fiscal impact to their respective entities from this proposal.

In response to similar legislation from 2017, SCS for HCS for HB 247, officials at the **Callaway County Commission** assumed no fiscal impact from this proposal.

Oversight assumes the proposed legislation establishes procedures relating to municipally owned utilities. The proposal states "...except for the sale of a water or wastewater system, or the sale of a gas plant, which shall be authorized by a simple majority vote of the voters voting on the question." Oversight assumes, under current statute, election costs are already accounted for within §88.770 of the proposal. Oversight assumes the proposal is making changes from a 2/3rds

ASSUMPTION (continued)

majority vote to a simple majority vote. **Oversight** also assumes this proposal establishes procedures by the board of alderman for cities should the proposed sales of a water or wastewater system be placed before the voters. Therefore, Oversight will reflect a \$0 fiscal impact for this proposal.

§92.820

Officials at the City of St. Louis, the St. Louis City Sheriff's Office and the St. Louis City Circuit Clerk did not respond to **Oversight's** request for fiscal impact.

Oversight assumes this proposal is codifying statute regarding the location of public auctions in the City of St. Louis and will not have a direct fiscal impact.

§94.900

Officials at the **Office of Administration's Division of Budget and Planning** assume the intent of this proposal is to allow voters in the Cities of Lebanon and Centralia to impose a sales tax up to 0.50% for the purpose of funding public safety for the city.

According to the State Demographer, the description in the bill language in Sec. 94.900.1.(1)(h) could also apply to the cities of Jennings, Marshall, Moberly, and Washington, in addition to Lebanon. The description in the bill language in Sec. 94.900.1.(1)(I) fits the cities of California, Fenton, Hollister, Northwoods, Osage Beach, St. Robert, Ste. Genevieve, and Woodson Terrace, in addition to Centralia.

Using forecast estimates for statewide average growth in local sales taxes and state taxes (including food), the estimated average growth for FY18 and FY19 is 2.50% and 1.90%, respectively.

City of Lebanon - Budget and Planning estimates the City of Lebanon's FY19 taxable sales at \$363.4 million. The bill indicates that this sales tax would take effect starting April 1, thus only impacting Q4 of FY19 sales collections. For the City of Lebanon, with estimated Q4 sales collections of \$90.8 million, this proposed sales tax could generate approximately \$449,755 for the city for FY19. As a voter approved tax, the collected revenues will not impact general and total state revenues; however, DOR will retain 1% to offset collection costs. Therefore, that portion could increase general and total state revenues by approximately \$4,543 in FY19.

Using the same methodology to estimate FY20 and FY21 sales, we estimate taxable sales in the City of Lebanon to total \$363.4 million. This proposed sales tax might generate approximately \$1.8 million for the city in FY20, and annually thereafter. The collected revenues will have no impact on general and total state revenues; however, DOR will retain 1% to offset collection

ASSUMPTION (continued)

costs. Therefore, general and total state revenues could increase by approximately \$18,172 in FY20 and annually thereafter if the county sales tax is approved.

City of Centralia - Budget and Planning estimates the City of Centralia's FY19 taxable sales at \$40 million. The bill indicates that this sales tax would take effect starting April 1, thus only impacting Q4 of FY19 sales collections. For the City of Centralia, with estimated Q4 sales collections of \$10.1 million, this proposed sales tax could generate approximately \$50,349 for the city for FY19. As a voter approved tax, the collected revenues will not impact general and total state revenues; however, DOR will retain 1% to offset collection costs. Therefore, that portion could increase general and total state revenues by approximately \$509 in FY19.

Using the same methodology to estimate FY20 and FY21 sales, we estimate taxable sales in the City of Centralia to total \$40.7 million. This proposed sales tax might generate approximately \$201,397 for the city in FY20, and annually thereafter. The collected revenues will have no impact on general and total state revenues; however, DOR will retain 1% to offset collection costs. Therefore, general and total state revenues could increase by approximately \$2,034 in FY20 and annually thereafter if the county sales tax is approved.

Budget and Planning defers to DOR for more specific estimates of actual collection costs.

3rd Class Cities with populations between 13,000 and 15,000

Oversight notes this proposal would give the 3rd Class Cities with populations between 13,000 and 15,000 the option to vote to increase their local sales tax by .50% in order to fund public safety. Oversight notes the effective date of this proposal would be August 28, 2018. Oversight assumes the question would be put before the voters at the general municipal election in April 2019 (FY 2019). Therefore, the earliest the sales tax could become effective would be the first day of the second calendar quarter after the Department of Revenue is notified of voter approval. In this case, the earliest effective date assuming voter approval at the April 2019 general municipal election would be October 1, 2019 (FY 2020). Therefore, only nine months of taxes would be collected in FY 2020.

ASSUMPTION (continued)

<u>Cities</u>	<u>Sales Tax 2017 (6 mos)</u>	<u>Sales Tax 2016</u>	<u>Sales Tax 2015</u>	<u>3 year avg. Sales Tax Base</u>	<u>Additional 0.5% Rate</u>	<u>DOR 1% Collection</u>
Jennings	23,848,961	42,402,801	43,456,920	43,883,472	219,417	2,194
Lebanon	173,735,023	351,609,337	340,006,611	346,140,388	1,730,702	17,307
Marshall	80,811,164	167,845,702	169,803,808	167,384,269	836,921	8,369
Moberly	122,460,213	248,546,447	253,712,103	249,887,505	1,249,438	12,494
Washington	222,758,904	452,161,713	439,305,232	445,690,340	2,228,452	22,285
Totals	623,614,264	1,262,565,999	1,246,284,672	1,252,985,974	6,264,930	62,649

*Source: MO Department of Revenue Taxable Sales (Sales & Use Taxes) Report

Oversight notes that if the proposal is adopted DOR would be allowed to keep 1% of the amount of sales tax collected to cover their expenses. Oversight notes that DOR would retain up to \$62,649. Oversight will show the fee as \$0 (no sales tax increase is adopted by voters) to up to the amount listed for the 3rd Class Cities.

For fiscal note purposes, **Oversight** will indicate a range of additional local government revenue from \$0 (the sales tax is not adopted by the 3rd class cities and/or voters fail to approve the sales tax) to up to \$6,264,930 for a full year of tax collections estimated by the 3rd class cities.

4th Class Cities with Populations between 4,000 and 4,500

Oversight notes this proposal would give the 4th Class Cities with populations between 4,000 and 4,500 the option to vote to increase their local sales tax by .50% in order to fund public safety. Oversight notes the effective date of this proposal would be August 28, 2018. Oversight assumes the question would be put before the voters at the general municipal election in April 2019 (FY 2019). Therefore, the earliest the sales tax could become effective would be the first day of the second calendar quarter after the Department of Revenue is notified of voter approval. In this case, the earliest effective date assuming voter approval at the April 2019 general municipal election would be October 1, 2019 (FY 2020). Therefore, only nine months of taxes would be collected in FY 2020.

ASSUMPTION (continued)

Cities	Sales	Sales	Sales	3 year avg.	DOR	
	Tax	Tax	Tax	Sales Tax	Additional	1%
	2017 (6 mos)	2016	2015	Base	0.5% Rate	Collection
California	24,987,186	51,209,082	49,560,748	50,302,807	251,514	2,515
Centralia	21,586,181	39,952,913	39,344,943	40,353,615	201,768	2,018
Fenton	283,554,936	564,927,055	557,635,560	562,447,021	2,812,235	28,122
Hollister	73,951,133	122,098,534	109,219,960	122,107,851	610,539	6,105
Northwoods	9,113,930	18,404,015	18,057,454	18,230,160	91,151	912
Osage Beach	229,941,130	487,671,265	479,280,684	478,757,231	2,393,786	23,938
St. Robert	115,310,195	231,572,031	226,784,375	229,466,641	1,147,333	11,473
Ste. Genevieve	33,409,854	67,499,185	67,089,023	67,199,225	335,996	3,360
Woodson Terrace	<u>52,069,718</u>	<u>111,151,190</u>	<u>102,979,802</u>	<u>106,480,284</u>	<u>532,401</u>	<u>5,324</u>
Totals	843,924,263	1,694,485,271	1,649,952,549	1,675,344,833	8,376,724	83,767

*Source: MO Department of Revenue Taxable Sales (Sales & Use Taxes) Report

Oversight notes that if the proposal is adopted DOR would be allowed to keep 1% of the amount of sales tax collected to cover their expenses. Oversight notes that DOR would retain up to \$83,767. Oversight will show the fee as \$0 (no sales tax increase is adopted by voters) to up to the amount listed for the 4th class cities.

For fiscal note purposes, **Oversight** will indicate a range of additional local government revenue from \$0 (the sales tax is not adopted by the 3rd class cities and/or voters fail to approve the sales tax) to up to \$8,376,724 for a full year of tax collections estimated by the 4th class cities.

§94.902

Officials at the **Office of Administration's Division of Budget and Planning** assume the intent of this proposal is to allow voters in the City of Riverside to impose a sales tax up to 0.50% for the purpose of funding public safety for the city.

According to the State Demographer, the description in the bill language in Sec. 94.902.1.(8) could also apply to the cities of Ava, Byrnes Mill, Hayti, Hillsboro, Knob Noster, Montgomery City, Mountain View, Pleasant Valley, and Windsor, in addition to Riverside.

Using forecast estimates for statewide average growth in local sales taxes and state taxes (including food), the estimated average growth for FY18 and FY19 is 2.5% and 1.90%, respectively.

City of Riverside - Budget and Planning estimates the City of Riverside FY19 taxable sales to total \$132 million. The bill indicates that this sales tax would take effect starting April 1, thus only impacting Q4 of FY19 sales collections. With estimated Q4 sales collections of \$33

ASSUMPTION (continued)

million, this proposed sales tax could generate approximately \$163,000 for the city for FY19. As a voter-approved tax, the collected revenues will not impact general and total state revenues; however, DOR will retain 1% to offset collection costs. Therefore, this portion could increase general and total state revenues by approximately \$1,649 in FY19.

Using the same methodology to estimate FY20 and FY21 sales, we estimate taxable sales in the City of Riverside to total \$132 million in FY19. This proposed sales tax might generate approximately \$653,000 for the city in FY20, and annually thereafter. The collected revenues will have no impact on general and total state revenues; however, DOR will retain 1% to offset collection costs, which could therefore increase general and total state revenues by approximately \$6,597 in FY20 and annually thereafter if the county sales tax is approved and is continued by voter-approval.

Budget and Planning defers to DOR for estimates of actual collection costs.

4th Class Cities with Populations between 2,700 and 3,000

Oversight notes this proposal would give the 4th Class Cities with populations between 2,700 and 3,000 the option to vote to increase their local sales tax by .50% in order to fund public safety. Oversight notes the effective date of this proposal would be August 28, 2018. Oversight assumes the question would be put before the voters at the general municipal election in April 2019 (FY 2019). Therefore, the earliest the sales tax could become effective would be the first day of the second calendar quarter after the Department of Revenue is notified of voter approval. In this case, the earliest effective date assuming voter approval at the April 2019 general municipal election would be October 1, 2019 (FY 2020). Therefore, only nine months of taxes would be collected in FY 2020.

ASSUMPTION (continued)

Cities	Sales Tax 2017 (6 mos)	Sales Tax 2016	Sales Tax 2015	3 year avg. Sales Tax Base	Additional 0.5% Rate	DOR 1% Collection
Ava	38,038,353	76,806,536	74,797,806	75,857,078	379,285	3,793
Byrnes Mill	9,599,833	18,919,375	17,249,626	18,307,534	91,538	915
Hayti	19,257,710	38,373,370	39,277,825	38,763,562	193,818	1,938
Hillsboro	14,803,296	27,817,142	30,565,360	29,274,319	146,372	1,464
Knob Noster	9,585,924	19,341,762	19,329,917	19,303,041	96,515	965
Montgomery City	14,423,389	30,094,724	28,857,515	29,350,251	146,751	1,468
Mountain View	26,210,228	53,507,796	53,158,013	53,150,415	265,752	2,658
Pleasant Valley	17,304,735	30,604,045	31,007,267	31,566,419	157,832	1,578
Riverside	75,916,575	159,499,003	152,543,068	155,183,458	775,917	7,759
Windsor	10,732,685	21,135,172	22,459,034	21,730,756	108,654	1,087
Totals	235,872,727	476,098,926	469,245,431	472,486,834	2,362,434	23,624

*Source: MO Department of Revenue Taxable Sales (Sales & Use Taxes) Report

Oversight notes that if the proposal is adopted DOR would be allowed to keep 1% of the amount of sales tax collected to cover their expenses. Oversight notes that DOR would retain up to \$23,624. Oversight will show the fee as \$0 (no sales tax increase is adopted by voters) to up to the amount listed for the 4th class cities.

For fiscal note purposes, **Oversight** will indicate a range of additional local government revenue from \$0 (the sales tax is not adopted by the 4th class cities and/or voters fail to approve the sales tax) to up to \$2,362,434 for a full year of tax collections estimated by the 4th class cities.

Officials at the **City of Liberty** assume this would ultimately require Liberty to resubmit its Public Safety Sales Tax (PSST) to the voters every ten years starting in 2028. When Liberty voters passed our PSST, they understood the funds would be used exclusively to provide market competitive salaries and additional Police and Fire staffing. There was no sunset attached to the ballot item. Having a ten year reoccurring vote requirement so to allow the City to maintain market competitive salaries and additional staffing would make it impossible to undertake effectively budget planning, would expose our Fire and Police departments to severe personnel staffing dislocations and impair their ability to recruit and retain qualified staff.

If the PSST was to expire and not be renewed the City would see the loss of \$2.5 million dollars. This loss would devastate our Police and Fire departments. Under the current law that authorizes the PSST for Liberty, there is already built in two different ways the tax could end - Council decisions to submit a question to the voters and a voter initiative petition to place the question to the voters. Further, the City does not need to incur additional election expenses every 10 years.

Oversight assumes the potential loss in sales tax revenue to the City of Liberty goes beyond the

ASSUMPTION (continued)

scope of this fiscal note. Therefore, Oversight assumes no fiscal impact for this proposal.

§§105.470, 105.473

In response to similar legislation from this year, HB 1496, officials from the **University of Central Missouri, State Technical College of Missouri, Missouri Western State University, Missouri State University,** and **University of Missouri** each assumed the proposal will have no fiscal impact on their respective organizations.

In response to similar legislation from this year, HB 1496, officials from the **Summersville R2 School District, Kirksville R-III School District, West Plains Schools,** and **Pettis County R-V** each assumed the proposal will have no fiscal impact on their respective organizations.

§§108.120, 137.555

In response to similar legislation from this year, HB 2352, officials at the **Callaway County Commission** and the **City of Springfield** each assumed no fiscal impact to their respective entities from this proposal.

§137.556

In response to similar legislation from 2017, SCS for HB 87, officials at **St. Francois County** stated this proposal would save the county twenty five percent of the taxes collected in the city which will allow the county to maintain the county roads. County officials estimated the savings from the City of Farmington would be \$130,000 for 2016.

Oversight will assume for fiscal note purposes, this proposal would have no effect on local governments as the given summary of the bill is correcting the description of St. Francois County in existing statutes.

§263.245

In response to similar legislation from this year, HB 1646, officials at the **Platte County Board of Election Commissioners** and **Chariton County** each assumed no fiscal impact to their respective entities from this proposal.

In response to similar legislation from this year, SB 657, officials at **Linn County** assumed a positive impact from this proposal. Linn County could not ascertain an amount for this proposal but this proposal would make it easier to collect the brush removal expense.

In response to similar legislation from this year, SB 657, officials at **Daviess County** assumed no

ASSUMPTION (continued)

fiscal impact from this proposal.

Oversight assumes this proposal would allow for easier collection of a special tax because expenses charged against a tract of land by the county will be due on the landowner's real and personal property tax assessments. Oversight also assumes this proposal would have no local fiscal impact without action by the governing body and approval by the majority of voters. Therefore, Oversight will show no direct fiscal impact for this proposal.

Officials from the following **counties**: Nodaway, Dekalb, Carroll, Gentry, Harrison, Caldwell, Mercer, Grundy, Livingston and Putnam did not respond to **Oversight's** request for fiscal impact.

§321.246

Officials at the **Office of Administration Division of Budget and Planning (B&P)** assume this proposal allows voters whose voting jurisdictions meet the criteria described in section 1(2) (such as Clay County) to impose a sales tax up to 0.50% for the purpose of funding fire protection districts.

Using forecast estimates for statewide average growth in local sales taxes and state taxes (including food), the estimated average growth for FY 2018 and FY 2019 is 2.5% and 1.90%, respectively. Budget and Planning estimates Clay County FY 2019 taxable sales to total \$3.4 billion. The bill indicates that this sales tax would take effect starting April 1, thus only impacting Q4 of FY 2019 sales collections. With estimated Q4 sales collections of \$845 million, this proposed sales tax could generate approximately \$418,220 for the county for FY 2019. As a voter-approved tax, the collected revenues will not impact General and Total State Revenues; however, DOR will retain 1% to offset collection costs. Therefore, this portion could increase general and total state revenues by approximately \$4,224 in FY 2019.

Using the same methodology to estimate FY 2020 and FY 2021 sales, we estimate taxable sales in Clay County to total \$3.4 billion in FY 2019. This proposed sales tax might generate approximately \$1.67 million for the county in FY 2020, and annually thereafter. The collected revenues will have no impact on General and Total State Revenues; however, DOR will retain 1% to offset collection costs, which could therefore increase General and Total State Revenues by approximately \$16,898 in FY 2020 and annually thereafter if the county sales tax is approved.

Budget and Planning estimates Jefferson County FY19 taxable sales to total \$2.1 billion. The bill indicates that this sales tax would take effect starting April 1, thus only impacting Q4 of FY19 sales collections. For the County of Jefferson, with estimated Q4 sales collections of \$536.8 million, this proposed sales tax could generate approximately \$265,728 for the county for FY19. As a voter-approved tax, the collected revenues will not impact general and total state

ASSUMPTION (continued)

revenues; however, DOR will retain 1% to offset collection costs. Therefore, this portion could increase general and total state revenues by approximately \$2,684 in FY19.

Using the same methodology to estimate FY20 and FY21 sales, we estimate taxable sales in Jefferson County to total \$2.1 billion in FY19. This proposed sales tax might generate approximately \$1.1 million for the county in FY20, and annually thereafter. The collected revenues will have no impact on general and total state revenues; however, DOR will retain 1% to offset collection costs, which could therefore increase general and total state revenues by approximately \$10,737 in FY20 and annually thereafter if the county sales tax is approved.

Budget and Planning defers to DOR for estimates of specific estimates of collection costs.

In response to similar legislation from this year, HCS for HB 2030, officials at the **Kearney Fire Department** assumed that based on the current half cent sales tax imposed by the City of Kearney, they would generate \$671,636 for the district.

In response to similar legislation from this year, HCS for HB 2030, officials at Clay County, Excelsior Springs Fire Department and the Liberty Fire Department did not respond to **Oversight's** request for fiscal impact.

Oversight notes the following fire protection districts are located in Clay County:

- Claycomo Fire Department
- Excelsior Springs Fire Department
- Gladstone Fire Department
- Kearney Fire Department
- Liberty Fire Department
- Mosby Fire Department
- Fishing River Fire Protection District
- North Kansas City Fire Department
- Pleasant Valley Fire Department
- Smithville Fire Department

Oversight assumes this proposal allows a fire protection district within Clay County to implement a one half of one percent sales tax to help fund the district. There is the possibility that the county or one or more additional local governments could implement the sales tax. The following table indicates the potential revenue for the local governments in Clay County.

For fiscal note purposes **Oversight** will indicate a range of additional local government revenue from \$0 (the sales tax is not adopted by the governing body of any local government and/or voters fail to approve the sales tax) to an unknown amount, dependent upon which fire protection districts in Clay County decide to submit the sales tax to the voters.

ASSUMPTION (continued)

Government	2016 Taxable Sales and Use Base	Gross Potential Revenue
Clay County	\$3,690,840,477	\$18,454,202
Claycomo	\$32,953,148	\$164,766
Excelsior Springs	\$175,676,310	\$878,382
Gladstone	\$355,496,350	\$1,777,482
Kearney	\$143,458,034	\$717,290
Liberty	\$493,619,777	\$2,468,099
Mosby	\$4,623,839	\$23,119
North Kansas City	\$409,742,054	\$2,048,710
Pleasant Valley	\$30,604,045	\$153,020
Smithville	\$94,281,032	\$471,405

Oversight notes that if the proposal is adopted DOR would be allowed to keep 1% of the amount of sales tax collected to cover their expenses.

Oversight notes the effective date of this proposal would be August 28, 2018. The first possible election to approve the sales tax could be held at the general municipal election in April 2019 (FY 2019). Therefore, the earliest the sales tax could become effective would be the first day of the second calendar quarter after the Department of Revenue is notified of voter approval. In this case, the earliest effective date assuming voter approval at the April 2019 general municipal election would be October 1, 2019 (FY 2020). Therefore, only nine months of taxes would be collected in FY 2020.

§640.648

In response to similar legislation from this year, HCS for HB 2216, officials at the **City of St. Charles** assumed this bill prohibits political subdivisions from restricting private wells in certain instances. A private well would introduce additional demand on sewer systems, since the amount of water used would be unknown. If fire protection is provided by a public water supply, then the burden of the cost would be borne on the other customers and not the owner of the private well. Public water systems are regulated, are constantly monitoring water quality and must provide safe water to the public. A private well is not under the same regulations. Additionally, if a public system was connected to the same system as a private well (as a backup to the private

ASSUMPTION (continued)

system) and a backflow valve failed, this could cause contamination of the public system. The true fiscal impact of such legislation would be extremely difficult to calculate.

In response to similar legislation from this year, HCS for HB 2216, officials at the **City of Springfield** assumed there is a potential negative fiscal impact, however the impact is unquantifiable without knowing how the proposal will affect City departments.

Oversight assumes this proposal prohibits political subdivisions from restricting the rights of certain property owners with regard to water resources. While there are advantages and disadvantages of owning a private well vs. a public water supply, there are also rules and regulations in place to monitor public water supplies. Oversight assumes the proposal would not have a direct fiscal impact on local political subdivisions.

In response to similar legislation from this year, HCS for HB 2216, officials at **St. Louis County, Boone County** and the **Callaway County Commission** each assumed no fiscal impact to their respective entities from this proposal.

Bill as a Whole

Officials at the **Department of Revenue, the Office of the State Courts Administrator, the Office of Administration's Division of General Services, the Department of Public Safety's Office of the Director, the Department of Natural Resources, the Department of Economic Development, the Department of Agriculture, the Missouri Department of Transportation, the Office of Prosecution Services, the Office of the Secretary of State, the Department of Insurance, Financial Institutions and Professional Registration, the Missouri Ethics Commission, the Department of Elementary and Secondary Education and the State Tax Commission** each assume no fiscal impact to their respective agencies from this proposal.

Officials at the **City of Kansas City, the Jackson County Board of Election Commission, the St. Charles County Recorder of Deeds and the Joplin Police Department** each assume no fiscal impact to their respective entities from this proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2019 (10 Mo.)	FY 2020 (9 Mo.)	FY 2021
GENERAL REVENUE FUND			
<u>Additional Revenue - DOR - 1%</u> Collection charges (\$94.900) - 3rd class cities with populations between 13,000 and 15,000	\$0	\$0 or Up to \$46,988	\$0 or Up to \$62,649
<u>Additional Revenue - DOR - 1%</u> Collection charges (\$94.900) - 4th class cities with populations between 4,000 and 4,500	\$0	\$0 or Up to \$62,825	\$0 or Up to \$83,767
<u>Additional Revenue - DOR - 1%</u> Collection charges (\$94.902) - 4th class cities with populations between 2,700 and 3,000	\$0	\$0 or Up to \$17,718	\$0 or Up to \$23,624
<u>Additional Revenue - DOR - 1%</u> Collection charges (\$321.246)	<u>\$0</u>	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>\$0</u>	\$0 or Unknown, greater than <u>\$127,531</u>	\$0 or Unknown, greater than <u>\$170,040</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2019 (10 Mo.)	FY 2020	FY 2021
LOCAL POLITICAL SUBDIVISIONS			
<u>Revenues - Education and Job Training</u>			
Television Broadcasting District- potential passage of up to an \$.08 increase to property taxes to fund education and job training (\$67.4600)	\$0 or Up to \$23,395,777	\$0 or Up to \$23,395,777	\$0 or Up to \$23,395,777
<u>Additional Revenues - 3rd Class Cities</u>			
with population between 13,000 and 15,000 (\$94.900)	\$0	\$0 or Up to \$4,698,698	\$0 or Up to 6,264,930
<u>Additional Revenues - 4th Class Cities</u>			
with populations between 4,000 and 4,500 (\$94.900)	\$0	\$0 or Up to \$6,282,543	\$0 or Up to \$8,376,724
<u>Additional Revenues - 4th Class Cities</u>			
with populations between 2,700 and 3,000 (\$94,902)	\$0	\$0 or Up to \$1,771,826	\$0 or Up to \$2,362,434
<u>Additional Revenues - Clay County Fire</u>			
Protection Districts (\$321.246)	\$0	\$0 or Unknown	\$0 or Unknown
<u>Reduction - County Recorder of Deeds -</u>			
modifying provisions of county subsidies on recorder fees (\$59.800)	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<u>Loss - 3rd Class Cities - 1% Collection</u>			
Fee kept by DOR (\$94.900)	\$0	\$0 or (Up to \$46,988)	\$0 or (Up to \$62,649)
<u>Loss - 4th Class Cities - 1% Collection fee</u>			
kept by DOR (\$94.900)	\$0	\$0 or (Up to \$62,825)	\$0 or (Up to \$83,767)
<u>Loss - 4th Class Cities - 1% Collection fee</u>			
kept by DOR (\$94.902)	\$0	\$0 or (Up to \$17,718)	\$0 or (Up to \$23,624)
<u>Loss - Clay County Fire Protection</u>			
Districts - 1% Collection Fee kept by DOR (\$321.246)	\$0	\$0 or (Unknown)	\$0 or (Unknown)

**LOCAL POLITICAL SUBDIVISIONS
(continued)**

ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	\$0 or less than <u>\$23,395,777</u>	\$0 or less than <u>\$36,021,313</u>	\$0 or less than <u>\$40,229,825</u>
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FISCAL IMPACT - Small Business

There could be a direct fiscal impact to small businesses as a result of this proposal.

FISCAL DESCRIPTION

§59.800

This bill provides a method by which distributions from the statutory county recorder's fund will be allocated among counties if collections fall below distributions.

§67.4600

This act creates the Education and Job Training Television Broadcasting District, a new political subdivision of Missouri.

FUNDING

Upon approval of a majority of the qualified voters of St. Louis City St. Louis County, the governing body shall levy and collect a property tax not in excess of 8¢ per \$100 of assessed valuation for the purpose of education and job training television broadcasting. The proceeds shall be deposited in a special fund, to be known as the "Education and Job Training Television Broadcast Fund."

USE OF FUNDS

The administrative control and management of the funds shall rest solely with the commission appointed under this act and shall use the funds to provide programming which promotes early childhood education, elementary and secondary education, adult education, job training programs, and activities related to preparing citizens for furthering their education and more fully participating in the economy of the region of such city and county. Funds shall not be limited to traditional television broadcasting, and may be used for the forms of media or related activities that foster or enhance job training and education at all levels.

In providing such services, the commission shall contract only with not-for-profit entities which are noncommercial television broadcast stations licensed to serve the metro area of St. Louis City and County.

ADMINISTRATIVE STRUCTURE

The District shall be governed by a Commission created under this act and shall be comprised of 2 persons appointed by the mayor of such city and 2 persons appointed by the chief executive of

FISCAL DESCRIPTION (continued)

such county, and a chairperson appointed by the Governor who shall serve a 4 year term.

The appointments of commissioners shall be four years and be staggered upon implementation. Commissioners may be reappointed and vacancies will be filled in the same manner as the original appointment.

The commission shall select annually, from its membership, a vice-chairperson, and treasurer and may appoint additional officers as necessary.

§94.900

This bill adds certain cities to the list of cities authorized to impose, upon voter approval, a retail sales tax of up to 0.5% for the purpose of improving the public safety of the city, including expenditures of equipment, city employee salaries and benefits, and facilities for police, fire and emergency medical providers.

§94.902

This bill adds certain cities (4th class cities with population between 2,700 and 3,000 inhabitants) to the list of cities authorized to impose, upon voter approval, a sales tax of up to .05% for public safety purposes, including expenditures on equipment, city employee salaries and benefits, and facilities for police, fire and emergency medical providers.

§321.246

This bill authorizes all fire protection districts located in Clay County to impose, upon voter approval, a sales tax of up to 0.5% for the purpose of providing revenue for the fire protection district. Currently, only the Smithville Fire Protection District in Clay County is authorized to impose this tax.

This proposal has an effect on Total State Revenues.

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

Office of the Governor
Office of Administration
 Division of Budget and Planning
Boone County
Platte County Board of Election Commission
Callaway County Commission
Mississippi County Recorder of Deeds Office
St. Louis County
City of St. Louis
City of St. Louis Treasurer's Office
City of Archie
St. Louis County Board of Election Commission
City of Liberty
University of Central Missouri
State Technical College of Missouri
Missouri Western State University
Missouri State University
University of Missouri
Summersville R2 School District
Kirksville RIII School District
West Plains Schools
Pettis County RV
City of Springfield
St. Francois County
Linn County
Daviess County
Kearney Fire District
City of St. Charles
Department of Revenue
Office of the State Courts Administrator
Office of Administration
 Division of General Services
Department of Public Safety
 Office of the Director
Department of Natural Resources
Department of Economic Development
Department of Agriculture
Missouri Department of Transportation
Office of Prosecution Services
Office of the Secretary of State
Department of Insurance, Financial Institutions and Professional Registration

SOURCES OF INFORMATION (continued)

Missouri Ethics Commission
Department of Elementary and Secondary Education
State Tax Commission
City of Kansas City
Jackson County Board of Election Commission
St. Charles County Recorder of Deeds Office
Joplin Police Department

Ross Strobe



Acting Director
April 6, 2018