

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0455-01  
Bill No.: HB 116  
Subject: Agriculture and Animals; Disabilities  
Type: Original  
Date: February 14, 2005

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 5 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2006</b>	<b>FY 2007</b>	<b>FY 2008</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2006</b>	<b>FY 2007</b>	<b>FY 2008</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**FISCAL ANALYSIS**

**ASSUMPTION**

Officials from the **Office of Administration – Governor’s Council on Disabilities, Department of Transportation, Department of Mental Health, Department of Labor and Industrial Relations, Department of Revenue, Department of Social Services, Department of Public Safety – Missouri State Highway Patrol, – Director’s Office, and the Department of Conservation** assume the proposal would have no fiscal impact on their agencies.

Officials from the **Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on the courts.

Officials from the **Office of Prosecution Services** assume the proposal would not have a significant direct fiscal impact on county prosecutors.

ASSUMPTION (continued)

Officials from the **Office of the State Public Defender (SPD)** assume existing staff could provide representation for those few cases arising where indigent persons were charged with harassing, injuring, or killing a service dog or owns an animal that does the same. Passage of more than one bill increasing penalties on existing crimes or creating new crimes would require the SPD to request increased appropriations to cover the cumulative cost of representing indigent persons accused in the now more serious cases or in the new additional cases.

Officials from the **Department of Corrections (DOC)** assume the proposal has penalty provisions up to a class A misdemeanor. DOC assumes a fiscal impact of \$0 or a minimal amount that could be absorbed within existing resources.

<u>FISCAL IMPACT - State Government</u>	FY 2006	FY 2007	FY 2008
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2006	FY 2007	FY 2008
	<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.

DESCRIPTION

The proposed legislation would define “service dog” as a dog specially trained to do work or perform tasks which benefit a person with a disability. Any person who causes the physical injury or death or fails to control their animal which causes the physical injury or the death of a service dog would be guilty of a class A misdemeanor. Any person who harasses a service dog or fails to control their animal which harasses a service dog preventing the dog from performing its duties would be guilty of a class B misdemeanor. Civil damages may be recovered by the service dog owner or person with a disability who uses the service dog.

DESCRIPTION (continued)

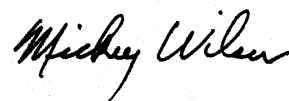
Anyone who impersonates a person with a disability by representing himself or herself as disabled or represents his or her dog as a service dog would be guilty of a class B misdemeanor and liable for any actual damages resulting from the impersonation.

The proposal contains an emergency clause and would be in full force and effect upon passage and approval.

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 Administration  
– Governor’s Council on Disabilities  
Office of State Courts Administrator  
Department of Transportation  
Department of Mental Health  
Department of Corrections  
Department of Labor and Industrial Relations  
Department of Revenue  
Department of Social Services  
Department of Public Safety  
– Missouri State Highway Patrol  
– Director’s Office  
Department of Conservation  
Office of Prosecution Services  
Office of the State Public Defender



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