

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0455-03
Bill No.: SS for HB 116 with SA 1
Subject: Agriculture and Animals; Disabilities
Type: Original
Date: May 10, 2005

FISCAL SUMMARY

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

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

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

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

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

FISCAL ANALYSIS

ASSUMPTION

Officials from the **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, and the Department of Conservation** assume the proposal would have no fiscal impact on their agencies.

In response to a previous version of the proposal (HB 116, LR # 0455-01), officials from the **Office of Administration – Governor’s Council on Disabilities** assumed the proposal would have no fiscal impact on their agency.

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)

In response to a previous version of the proposal (HB 116, LR # 0455-01), officials from the **Office of the State Public Defender (SPD)** assumed 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 or chases 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.

ASSUMPTION (continued)

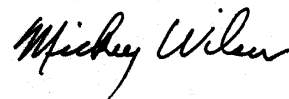
Anyone who knowingly impersonates a person with a disability by representing himself or herself as disabled or represents his or her dog as a service dog would be guilty of a class C misdemeanor and liable for any actual damages resulting from the impersonation. A second or subsequent violation would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

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
Department of Conservation
Office of Prosecution Services
Office of the State Public Defender



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