

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4155H.01I  
Bill No.: HB 1777  
Subject: Department of Corrections; Prisons and Jails; Public Assistance  
Type: Original  
Date: January 29, 2024

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Bill Summary: This proposal establishes certain protections for pregnant offenders.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
General Revenue	(\$84,004)	(\$6,481)	(\$6,643)
<b>Total Estimated Net Effect on General Revenue</b>	<b>(\$84,004)</b>	<b>(\$6,481)</b>	<b>(\$6,643)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
<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.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
Federal Funds*	\$0	\$0	\$0
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

\*Income and expenses estimated to be \$121,000 in FY 2025 and \$9,000 on-going beginning in FY 2026 net to zero.

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

- 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.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

#### §§208.247, 221.520, 221.523, 491.075, and 492.304 – Protections for pregnant offenders

Officials from the **Office of Administration (OA)**, Information Technology Services Division (ITSD)/DSS state updates to the Family Assistance Management Information Systems (FAMIS) and Missouri Eligibility Determination and Enrollment System (MEDES) applications would be required.

OA, ITSD/DSS assumes every new IT project/system will be bid out because all ITSD resources are at full capacity. IT contract rates for FAMIS are estimated at \$105/hour. It is assumed FAMIS modifications will require 734.40 hours for a cost of \$77,112 (734.40 \* \$105), split 41% GR; 59 % Federal.

Therefore, the total FAMIS upgrades will cost \$77,112 (\$31,616 GR; \$45,496 Federal) in FY 2025; \$15,808 (\$6,481 GR; \$9,327 Federal) in FY 2026; and \$16,203 (\$6,643 GR; \$9,560 Federal) in FY 2027 and subsequent years.

Modifications for the MEDES system must be performed by Redmane. Hourly IT costs under this contract vary by position title and work type. It is estimated to take 968 hours for a total cost of \$127,776 in FY 2025 exclusively, split 41% GR; 59 % Federal.

Therefore, the total MEDES upgrades will be \$127,776 (\$52,388 GR; \$75,388 Federal) in FY 2025.

Total system upgrades for FAMIS and MEDES are estimated at \$204,888 in FY 2025; \$15,808 in FY 2026; and \$16,203 in FY 2027 and subsequent years.

**Oversight** does not have any information to the contrary. Therefore, Oversight will reflect the costs provided by ITSD/DSS for fiscal note purposes.

Officials from the **Department of Corrections**, the **Department of Health and Senior Services**, the **Department of Mental Health**, the **Office of the State Courts Administrator**, the **Phelps County Sheriff's Department**, the **Kansas City Police Department**, and the **St. Louis County Police Department** 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.

Officials from the **University of Missouri** assume the proposal will not have a significant 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.

Officials from the **City of Kansas City** state the legislation could have a negative fiscal impact on Kansas City if the legislation causes an increase in costs of jailing prisoners.

**Oversight** notes the provision of this proposal would not significantly increase the costs of jailing prisoners. Any increase in the cost is assumed to be minimal and absorbable within current funding levels.

**Oversight** only reflects the responses received from state agencies and political subdivisions; however, other cities, counties, local law enforcement, and hospitals were requested to respond to this proposed legislation but did not. A listing of political subdivisions included in the Missouri Legislative Information System (MOLIS) database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
<b>GENERAL REVENUE</b>			
<u>Cost – OA, ITSD/DSS (\$208.247)</u>			
FAMIS system updates	(\$31,616)	(\$6,481)	(\$6,643)
MEDES system updates	(\$52,388)	\$0	\$0
<u>Total Cost – OA,ITSD/DSS</u>	<u>(\$84,004)</u>	<u>(\$6,481)</u>	<u>(\$6,643)</u>
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b><u>(\$84,004)</u></b>	<b><u>(\$6,481)</u></b>	<b><u>(\$6,643)</u></b>
<b>FEDERAL FUNDS</b>			
<u>Income – OA,ITSD/DSS (\$208.247)</u> Reimbursement for FAMIS & MEDES system updates	\$120,884	\$9,327	\$9,560
<u>Cost – OA, ITSD/DSS (\$208.247)</u>			
FAMIS system updates	(\$45,496)	(\$9,327)	(\$9,560)
MEDES system updates	(\$75,388)	\$0	\$0
<u>Total Cost – OA,ITSD/DSS</u>	<u>(\$120,884)</u>	<u>(\$9,327)</u>	<u>(\$9,560)</u>
<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

<u>FISCAL IMPACT – Local Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
	<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

This bill modifies several provisions relating to the protection of vulnerable persons, including access to SNAP benefits; pregnant offenders; and admissibility of certain evidence in criminal cases.

ACCESS TO SNAP BENEFITS

The bill repeals current provisions of law allowing for individuals convicted of certain drug offenses to participate in SNAP only if certain conditions are met. Under this bill, individuals who are convicted of a state or federal felony drug offense shall not be excluded from SNAP for such conviction.

PREGNANT OFFENDERS

This bill prohibits all county and city jails, except in extraordinary circumstances, from using restraints on a pregnant offender in her third trimester, including during transportation or labor, delivery, and 48 hours post-delivery. Pregnant offenders are required to be transported in vehicles equipped with seatbelts. In cases of extraordinary circumstances that require restraints to be used, the sheriff or jailer shall document, in writing and within 48 hours of the incident, the reason for the restraints used, as specified in the bill.

If restraints are used, they shall be the least restrictive available and the most reasonable under the circumstances. No leg, ankle, or waist restraints, or mechanical restraints shall be used; any wrist restraints used shall be placed in front of the offender's body.

Jails shall offer staff training on the provisions of this bill and inform offenders of the policies and practices developed under this bill.

By January 1, 2025, all county and city jails shall develop specific procedures for intake and care of pregnant offenders, including the provision of maternal health evaluations; dietary supplements; nutritious meals; substance abuse treatment; HIV treatment; Hepatitis C treatment; sleeping arrangements; mental health care; sanitary materials; postpartum recovery; and a requirement that a female medical professional be present during examinations.

#### ADMISSIBILITY OF CERTAIN EVIDENCE IN CRIMINAL CASES

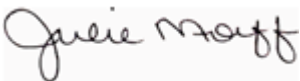
Currently, a statement made by a child under 14 years of age may be admissible in criminal proceedings, under certain circumstances. This bill amends the age to a child under 18 years of age.

Additionally, the bill provides that visual or audio recordings of a child under 18 years of age or a vulnerable person, as defined in the bill, and relating to certain criminal offenses shall be admissible in criminal proceedings under certain circumstances, as is specified in the bill.

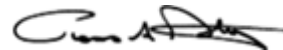
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

#### SOURCES OF INFORMATION

Department of Corrections  
Department of Health and Senior Services  
Department of Mental Health  
Department of Social Services  
Office of the State Courts Administrator  
University of Missouri  
City of Kansas City  
Phelps County Sheriff's Department  
Kansas City Police Department  
St. Louis County Police Department



Julie Morff  
Director  
January 29, 2024



Ross Strobe  
Assistant Director  
January 29, 2024