

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4622H.01I
 Bill No.: HB 1958
 Subject: Children and Minors; Drunk Driving/Boating; Victims of Crime
 Type: Original
 Date: January 23, 2024

Bill Summary: This proposal establishes provisions requiring certain persons convicted of driving while intoxicated to pay child maintenance.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
General	(\$500,000 to \$1,000,000)	\$0	\$0
Total Estimated Net Effect on General Revenue*	(\$500,000 to \$1,000,000)	\$0	\$0

*Range based on costs of a new child support module by the Office of the State Courts Administrator.

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

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
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 2025	FY 2026	FY 2027
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§454.1050 - "Bentley's Law" – Adds child maintenance provisions for certain children

Officials from the **Office of the State Courts Administrator (OSCA)** state this proposal would have an impact in Show-Me Courts and possibly others systems. As regarding a budgetary impact, the estimate would be \$500,000 to \$1,000,000 to develop a new Child Support module.

Oversight does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by OSCA.

Officials from the **Department of Social Services, the Department of Commerce and Insurance, the Department of Corrections, the Department of Elementary and Secondary Education, the Department of Higher Education and Workforce Development, the Department of Public Safety, Missouri Highway Patrol, the Department of Revenue, the Office of the State Public Defender, the University of Missouri System, Northwest Missouri State University** and the **University Of Central Missouri** 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 **Missouri Office of Prosecution Services (MOPS)** did not respond to Oversight's request for a statement of fiscal impact. In response to similar legislation from the 2023 Session (HB 195), officials from MOPS 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.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other circuit clerks and colleges 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
GENERAL REVENUE			
<u>Costs – OSCA (§454.1050) New child support module p. 3</u>	<u>(\$500,000 to \$1,000,000)</u>	<u>\$0</u>	<u>\$0</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE*	<u>(\$500,000 to \$1,000,000)</u>	<u>\$0</u>	<u>\$0</u>
*Range based on costs of a new child support module.			

<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

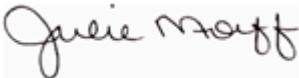
This bill establishes "Bentley's Law", which requires a person convicted of an offense of driving while intoxicated where the death of a parent or parents results to pay, upon petition by the surviving parent or the legal guardian, child maintenance to the child's or children's surviving parent or to the legal guardian until the child: dies; marries; enters active military duty; turns 18 or, if the child is 18 and enrolls in college, until completion of a degree or until the child reaches the age of 21, whichever occurs first.

The bill specifies how the amount of maintenance to be paid is determined and how the maintenance is to be paid. If the surviving parent or the guardian brings a civil action against the person prior to any maintenance being ordered and the parent or guardian receives a judgment in his or her favor, no maintenance will be ordered. Alternatively, if the court orders maintenance to be paid and the parent or guardian later brings a civil action and obtains a judgment in his or her favor, the amount awarded will be offset by the amount of maintenance ordered. (§454.1050)

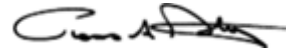
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Commerce and Insurance
Department of Corrections
Department of Elementary and Secondary Education
Department of Higher Education and Workforce Development
Department of Revenue
Department of Public Safety - Missouri Highway Patrol
Department of Social Services
Missouri Office of Prosecution Services
Office of the State Courts Administrator
Office of the State Public Defender
University of Missouri System
Northwest Missouri State University
University Of Central Missouri



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January 23, 2024



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January 23, 2024