

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4623S.08C
Bill No.: SCS for HCS for HB 2064 and HCS No. 2 for HB 1886
Subject: Administrative Law; Attorney General; Business and Commerce; Children and Minors; Civil Procedure; Corporations; Courts; Crimes and Punishment; Criminal Procedure; Disabilities; Emergencies; Employees - Employers; Estates, Wills and Trusts; Family Law; Fees; Guardians; Juries; Department of Labor and Industrial Relations; Liability; Mental Health; Probation and Parole; Property, Real and Personal; Saint Louis City; Workers' Compensation; Uniform Laws
Type: Original
Date: May 6, 2024

Bill Summary: This proposal establishes and modifies provisions relating to civil proceedings.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
General Revenue*	(Unknown, could exceed \$1,600,000)	(Unknown, could exceed \$600,000)	(Unknown, could exceed \$600,000)
Total Estimated Net Effect on General Revenue	(Unknown, could exceed \$1,600,000)	(Unknown, could exceed \$600,000)	(Unknown, could exceed \$600,000)

*Includes §454.1050 for a new child support module that could cost between \$500,000 to \$1 million in FY25. Also includes §478.001 that has an unknown cost that could exceed \$600,000 per year to establish mental health treatment courts.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Crime Victims Compensation Fund (0681)	Unknown, greater than \$250,000	Unknown, greater than \$250,000	Unknown, greater than \$250,000
State Highway Funds (0644)	(\$177,151)	(\$216,833)	(\$221,170)
Treatment Court Resources Fund (0733)*	\$0	\$0	\$0
Basic Civil Legal Services Fund (0757)	\$0	\$346,217	\$692,434
Total Estimated Net Effect on <u>Other</u> State Funds	Unknown, greater than \$72,849	Unknown, greater than \$379,384	Unknown, greater than \$721,264

Numbers within parentheses: () indicate costs or losses.

*Transfer-ins less expenditures will net to zero.

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
State Highway Fund (MHP)	1 FTE	1 FTE	1 FTE
Basic Civil Legal Services Fund (OSCA)**	0 FTE	2 FTE	2 FTE
Total Estimated Net Effect on FTE	1 FTE	3 FTE	3 FTE

** a continuation of existing FTE by removing the December 31, 2025 expiration date.

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	More or Less than \$42,307	More or Less than \$70,602	More or Less than \$70,602

FISCAL ANALYSIS

ASSUMPTION

Oversight was unable to receive some of the agency responses in a timely manner due to the short fiscal note request time. Oversight has presented this fiscal note on the best current information that we have or on prior year information regarding a similar bill. Upon the receipt of agency responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval to publish a new fiscal note.

§193.265 – Birth, Marriage and Death Certificates for Public Attorneys

In response to a previous version, officials from the **Department of Health and Senior Services (DHSS)** assumed §193.265.7 of this proposal states no fee shall be required or collected for a certification of a birth, death, or marriage if the request for certification is made by a prosecuting attorney, a circuit attorney, or the attorney general. Currently, these entities are charged the statutorily required search fee for a vital record of \$15.00 per birth and marriage certification and \$14.00 per death certification. This proposed language would remove the ability for the DHSS to collect these fees for services provided.

According to a Missouri survey conducted by the National Prosecutors’ Consortium (<https://www.prosecutors.mo.gov/files/Missouri%20Survey%20Report.pdf>), in 2018, 41 percent of Missouri prosecuting offices responded, and on average, each office reviewed 1,219 felony cases and 1,845 misdemeanor cases. For an estimated average total cases of 3,064 per office, per annum. Missouri has 115 elected prosecutors from each of the 114 counties and the City of St. Louis. Combined, this is an average of 352,360 cases reviewed each year across the state. Not all prosecuting offices responded to the Consortium survey, so exact metrics were not available for all local offices. It is also not known how many of these cases would result in a request for a copy of a vital record. Therefore, up to 352,360 requests could be possible. Moreover, this proposed language does not limit the number of certificate requests that could be made, nor does it limit the purpose for which the certificates may be requested for free nor specify or require that the requestor be an official from Missouri. As a result, the number of certificates requested could exceed 352,360.

Since requests from the Missouri Attorney General (AGO) are also included in this proposed legislation, the estimated 700 criminal appeals (<https://ago.mo.gov/criminal-division/criminal->

appeals) that are handled by the AGO each year are factored into these calculations. This estimate does not include any other appeals or cases that may be handled by the AGO. This would bring the estimated total of potential requests to 353,060 (352,360 cases reviewed each year plus 700 criminal appeals handled by AGO each year). For the purposes of this fiscal note, DCPH assumes only 25 percent of the possible requests for free vital records will be made, for a total of 88,265 (353,060 times 25 percent) requests per year. Based on what vital records has experienced when records are provided for free, this fiscal note also assumes that the 88,265 requests are new requests that are above the total volume of certificates issued each year. The Department's Bureau of Vital Records and the 115 local public health agencies (LPHAs), in total, currently issue approximately 827,695 birth, death, and marriage certificates each year.

The additional FTE needed comes from the calculation of a 10 minute application review, processing, and issuance time average with 2,080 working hours per annum which equals 12,480 applications processed per FTE. Most applications take 15 minutes, but a shorter time of 10 minutes per application was used in this calculation, as requests from “agencies”, such as prosecutors and the Attorney General’s Office, can usually be done slightly faster due to typically less documentation to review per request. As a result, a total of 7.00 Administrative Support Assistant FTE, each with an annual salary of \$36,979, would be needed if 88,265 certificates are requested. Additionally, one Senior Accounts Assistant, with an annual salary of \$51,064, would be needed to process payments that result.

While this proposed legislation references birth, death, and marriage certificates, the cheapest and typically most requested certification, death certificates (a fee of \$14.00 per certificate), will be used to make estimated calculations on lost revenues and other costs other than FTE to produce a free death certificate. Estimated 88,265 certificates requested times \$14.00 per certification equals a loss of certificate revenue of \$1,235,710 per year. Certificate paper and printing is approximately \$0.25 per sheet times 88,265 certificates requested equals \$22,066.25 in paper and ink costs.

Death certificates have a current fee split of \$5.00 per certificate to the Children’s Trust Fund; \$3.00 to the Missouri Public Health Fund; \$4.00 to General Revenue; \$1.00 to Endowed Care Cemetery; and \$1.00 to the Coroner’s Training fund. This is assuming all certificate requests come to the state office. Any requests completed at the local level by local public health agencies (LPHAs), would impact local public health funding.

In response to a previous version, officials from the **Office of Administration - Budget and Planning (B&P)** assumed §193.265.7 creates a new exemption from vital record request fees and may impact state and/or local revenues derived from such fees. The state and local government entities responsible for the collection and administration of those fees may be able to estimate the impact of this change. A decrease in such fee revenues will impact both TSR and 18e calculations.

Oversight inquired the **Missouri Office of Prosecution Services (MOPS)** regarding the number of vital records that they may request annually. MOPS conducted a survey on each of their 114

county prosecutors on how many vital records are requested from their offices on an annual basis. Of the 114 prosecutors, 47 responded with a total of 173 vital records requested from the DHSS within the past year. MOPS believes the actual vital records request for those prosecution authorities to be under 1,000 per year.

Oversight does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by the MOPS. Using MOPS's estimate of 1,000 vital records request per year times \$15 (the highest rate charged for vital records) per record would total \$15,000 annually. Oversight will assume a potential loss in fees from these records request for DHSS of less than \$15,000 on an annual basis.

DHSS also requested FTEs for this proposal and supply costs associated with the printing of these certificates. **Oversight** assumes DHSS is provided with core funding to handle a certain amount of activity each year. Oversight assumes DHSS could absorb the costs related to this proposal. If multiple bills pass which require additional staffing and duties at substantial costs, DHSS could request funding through the appropriation process.

Oversight notes with the no charge being applied to certain public attorneys, state and local agencies would see a savings for the same amount. Therefore, Oversight will reflect a savings to GR of an unknown could exceed \$15,000 and also to local political subdivisions of an unknown savings.

§214.330 – Endowed Care Trust Fund

In response to similar legislation from this year, Perfected HB 1987, officials from the **Office of the State Treasurer** assumed the proposal will 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.

In response to a similar proposal from last year (HB 968), officials from the **Office of the State Courts Administrator (OSCA)** stated there may be some impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

Without additional information, **Oversight** will assume the proposal will not create a material fiscal impact to OSCA.

§§287.615 & 287.835 – Administrative Law Judges

In response to a previous version, officials from the **Office of Administration - Budget and Planning (B&P)** assumed §287.615.1(2) provides that administrative law judge salaries are set by statute and not subject to increase when pay raises for executive employees are appropriated. This change could result in potential future cost avoidance that might otherwise be budgeted. §287.835 could result in future potential benefit costs not being avoided but any such impact would depend on the described hypothetical conditions and may not be subject to estimation.

Oversight does not have information to the contrary and therefore, Oversight will reflect a \$0 or Unknown cost avoidance to GR as provided by the B&P.

Officials from the **Missouri State Employee's Retirement System (MOSERS)** states this proposal, if enacted, would remove §287.835.1 and allow an Administrative Law Judge (ALJ) and the ALJ's beneficiary to remain entitled to ALJ plan retirement benefits if the ALJ were removed from office by impeachment or for misconduct, or disbarred from the practice of law.

This proposal would result in an unknown cost as it would allow the ALJ and the ALJ's beneficiary to receive a benefit that they would not otherwise receive under the current plan provisions.

Oversight does not have information to the contrary and therefore, Oversight will reflect the potential impact as provided by the MOSERS.

§347.143 – Court Ordered Dissolutions of LLC's

In response to similar legislation, CCS/HCS/SS/SCS/SB 72 (2023), officials from the **Office of the State Courts Administrator** assumed the proposal will 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.

In response to similar legislation from this year, Perfected HCS for HB 1886, officials from the **Office of the State Treasurer**, the cities of **St. Louis & O'Fallon**, the **Jackson County Board of Elections**, the **Christian County Auditor's Office**, the **Local Government Employees Retirement System**, the **Morgan County PWS #2**, the **Attorney General's Office**, the **City of Osceola**, the **Eureka Fire Protection District** and the **Osceola Water/Wastewater District** each assumed the proposal would not change their fiscal impact estimates on the underlying proposal. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

§§435.300, 435.303, 435.306, 435.309 & 435.312 – Alternative Dispute Resolution

Officials from the **Missouri Highway Patrol (MHP)** assume this proposal authorizes an alternative dispute resolution program, similar to federal court, and creates a Uniform Depositions and Discovery Act. With this proposed legislation the MHP anticipates an increased workload related to foreign subpoenas and/or discovery requests. There may also be increased litigation costs associated with non-party subpoena and discovery responses. These increased costs would likely cause a direct impact on the MHP because the Missouri Attorney General's Office does not normally represent the MHP in such cases. Many of these non-party legal matters would likely involve some of the over 30,000 motor vehicle crashes the MHP investigates each year. As a result of the expected workload increase, the MHP forecasts the need to add one (1) FTE Legal Counsel.

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

In response to a previous version, officials from the **Office of Administration - Budget and Planning (B&P)** assumed §435.306.9 authorizes the courts to order parties seeking alternative dispute resolution to pay fees for the costs of securing a neutral party. In the event that the state is such a party, this provision could result in additional state costs. Such costs do not appear to be subject to a reasonable estimation.

In response to a previous version, officials from the **Office of State Courts Administrator (OSCA)** stated there may be some impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

In response to similar legislation from this year, Perfected HCS for HB 1886, officials from the **Office of the State Treasurer**, the cities of **St. Louis & O'Fallon**, the **Jackson County Board of Elections**, the **Christian County Auditor's Office**, the **Local Government Employees Retirement System**, the **Morgan County PWS #2**, the **Attorney General's Office**, the **City of Osceola**, the **Eureka Fire Protection District** and the **Osceola Water/Wastewater District** each assumed the proposal would not change their fiscal impact estimates on the underlying proposal. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

§452.355 – Costs and Fees in Divorce Proceedings

In response to similar legislation from this year, SB 864, officials from the **Office of State Courts Administrator (OSCA)** stated there may be some impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

In response to similar legislation from this year, SB 864, officials from the **Department of Social Services** assumed the proposal will 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.

§§453.700 - 453.742 - Uniform Unregulated Child Custody Transfer Act

In response to similar legislation from this year, HB 2631, officials from the **Office of the State Public Defender (SPD)** stated per the recently released National Public Defense Workload Study, the new charge contemplated by this change to Section 453.710, which will impact SPD's child clients, would take approximately fourteen hours of SPD work for reasonably effective representation. If one hundred cases were filed under this section in a fiscal year, representation would result in a need for an additional attorney. Because the number of cases that will be filed under this statute is unknown, the exact additional number of attorneys necessary is unknown. Each case would also result in unknown increased costs in the need for core staff, travel, and

litigation expenses. However, if the charge was classified as a class D misdemeanor no jail time would be authorized and the cases would not qualify for SPD representation.

Oversight assumes this proposal will create a minimal number of new cases and that the SPD can absorb the additional caseload required by this proposal with current staff and resources. Therefore, Oversight will reflect no fiscal impact to the SPD for fiscal note purposes. However, if multiple bills pass which require additional staffing and duties, the SPD may request funding through the appropriation process.

In response to similar legislation from this year, HB 2631, officials from the **Missouri Office of Prosecution Services (MOPS)** stated no measurable fiscal impact to MOPS. The enactment of a new crime creates additional responsibilities for county prosecutors and the circuit attorney which may in turn result in additional costs which are difficult to determine.

Oversight does not have any information to the contrary. Therefore, Oversight assumes MOPS will be able to perform any additional duties required by this proposal with current staff and resources and will reflect no fiscal impact to the MOPS for fiscal note purposes.

In response to similar legislation from this year, HB 2631, officials from the **Department of Social Services, the Department of Labor and Industrial Relations, the Department of Mental Health, the Department of Public Safety, Missouri Highway Patrol, the Office of Administration (OA), the OA, Administrative Hearing Commission, the Office of the State Courts Administrator, the Branson Police Department, the Kansas City Police Department, the Phelps County Sheriff's Department and the St. Louis County Police Department** each assumed 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.

In response to similar legislation from this year, HB 2631, officials from the **Attorney General's Office** did not respond to **Oversight's** request for fiscal impact for this proposal.

Rule Promulgation

In response to similar legislation from this year, HB 2631, officials from the **Joint Committee on Administrative Rules** assumed this proposal is not anticipated to cause a fiscal impact beyond its current appropriation.

In response to similar legislation from this year, HB 2631, officials from the **Office of the Secretary of State** noted many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The Secretary of State's office is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to Secretary of State's office for Administrative Rules is less than \$5,000. The Secretary of State's office recognizes that this is a small amount and does not expect that additional funding would

be required to meet these costs. However, they also recognize that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what their office can sustain with their core budget. Therefore, they reserve the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

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

In response to similar legislation from this year, HB 1958, 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 Corrections (DOC)** assume this section stipulates that the court shall order a defendant convicted of the offense of driving while intoxicated to pay restitution for a child whose parent or guardian died as a result of such offense. The order of restitution under this section shall require the defendant to make restitution directly to the person or agency that will accept and forward restitution payments to the victim or other person eligible for restitution under this section; or deliver payment for restitution to the Division of Probation and Parole or to the DOC for transfer to the victim or person or state as appropriate.

Currently the Division of Probation and Parole does not accept payment for any form of restitution. The DOC collects restitution from incarcerated individuals when it receives an order from the prosecuting attorney and then remits payment to the prosecuting attorney in accordance with RSMO 559.105.

There would be an unknown fiscal impact to update DOC's offender management system in order to send payments directly to individual victims. It is unclear the amount of additional staff that would be necessary to process and remit these additional payments. It is also unclear if the DOC would be required to continue receiving and issuing payments to the victims after the defendant has been released from the department's supervision.

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

§§455.010, 455.035 & 455.513 – Orders of Protection

In response to similar legislation from 2023, CCS/HCS/SS/SCS/SB 72, officials from the **Office of the State Courts Administrator** assumed the proposal will 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.

Officials from the **Clay County Auditor’s Office** assume a cost of \$5,000 per year due to the increase in age for appointing a Guardian ad Litem from 17 to 18.

§456.950 – Qualified Spousal Trust

In response to similar legislation from this year, SB 988, officials from the **Department of Social Services** assumed the proposal will 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.

In response to similar legislation from this year, HB 1782, officials from the **Office of the State Courts Administrator** assumed the proposal will 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.

§§469.399 to 469.487 – “Missouri Uniform Fiduciary Income and Principal Act”

In response to similar legislation from this year, Perfected HB 1987, officials from the **Office of the State Treasurer** assumed the proposal will 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.

In response to a similar proposal from last year (HB 968), officials from the **Office of the State Courts Administrator (OSCA)** stated there may be some impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

Without additional information, **Oversight** will assume the proposal will not create a material fiscal impact to OSCA.

§§474.540, 474.542, 474.544, 474.546, 474.548, 474.550, 474.552, 474.554, 474.556, 474.558, 474.560, 474.562, 474.564, 474.600 – Electronic Estate Planning Documents

In response to similar legislation from 2023, CCS/HCS/SS/SCS/SB 72, officials from the **Office of the State Courts Administrator** assumed the proposal will 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.

Oversight notes that according to <https://trustandwill.com/learn/e-will>, electronic wills are only accepted in a few states currently. Some states have updated their statutes to allow e-wills. Electronic wills are now legal in Nevada, Florida, Indiana, and Arizona. Utah and Colorado have also recently adopted the Uniform Electronic Wills Act, which is a model law created by the Uniform Laws Commission. In other instances, some state courts have accepted e-wills on a case-by-case basis. COVID-19 also caused some courts to temporarily allow remote witnessing as an emergency measure.

In response to similar legislation from this year, Perfected HCS for HB 1886, officials from the **Office of the State Treasurer**, the cities of **St. Louis & O’Fallon**, the **Jackson County Board of Elections**, the **Christian County Auditor’s Office**, the **Local Government Employees Retirement System**, the **Morgan County PWS #2**, the **Attorney General’s Office**, the **City of Osceola**, the **Eureka Fire Protection District** and the **Osceola Water/Wastewater District** each assumed the proposal would not change their fiscal impact estimates on the underlying proposal. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

§§475.063 & 488.2300 – Guardianships/Conservatorships & the Family Services and Justice Fund

In response to a previous version, officials from the **Office of State Courts Administrator (OSCA)** stated there may be some impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

In response to a previous version, officials from the **Office of Administration - Budget and Planning** assumed §475.063.4 requires the courts to accept certain filings without charging a fee. This provision could result in a decrease of state and/or local revenues and impact both TSR and 18e calculations. §488.2300.4 provides that the section does not prohibit appropriations by the state legislature to support certain county funds. This change may result in additional state costs in the event of such appropriations.

Oversight notes §475.063 specifies what assistance a court clerk must provide or make available for a petitioner filing for emergency or full orders regarding a minor entering adult guardianship or conservatorship. The duties of the court clerk will be performed without cost to the petitioner. No filing fees, court costs, or bond will be assessed to the petitioner as well. The clerk may be reimbursed from the Family Services and Justice Fund for expenses incurred under this section.

Oversight notes §488.2300 allows fees incurred for guardianship or conservatorship proceedings by court-appointed attorneys, physicians, or other professionals, as well as fees incurred by court clerks providing assistance, to be given priority for payment from the "Family Services and Justice Fund". This section also doesn’t prohibit the appropriation of funds by the general assembly to the various county family services and justice funds of the family courts of the counties.

Oversight assumes the various county circuits are provided with core funding to handle a certain amount of activity each year. Oversight assumes the county circuits could absorb the costs related to this proposal. Therefore, Oversight will reflect a \$0 fiscal impact for these sections of this proposal.

In response to similar legislation from this year, Perfected HCS for HB 1886, officials from the **Office of the State Treasurer**, the cities of **St. Louis & O’Fallon**, the **Jackson County Board of Elections**, the **Christian County Auditor’s Office**, the **Local Government Employees Retirement System**, the **Morgan County PWSD #2**, the **Attorney General’s Office**, the **City of Osceola**, the **Eureka Fire Protection District** and the **Osceola Water/Wastewater District** each assumed the proposal would not change their fiscal impact estimates on the underlying proposal. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

§476.1025 – Removal of Court Records from the Automated Case Management System

In response to a previous version, officials from the **Office of State Courts Administrator (OSCA)** stated there may be some impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

Oversight does not have information to the contrary and therefore, Oversight will reflect a \$0 fiscal impact for this proposal. Oversight assumes OSCA will be able to administer these requests within existing resources or request additional appropriations in future budget requests.

§477.650 – Basic Civil Legal Services Fund

In response to a previous version, officials from the **Office of the State Courts Administrator (OSCA)** assumed this proposal would repeal the expiration date of the Basic Civil Legal Services Fund. The Basic Civil Legal Services Fund annual appropriations are approximately \$5.1 million and 2 FTE.

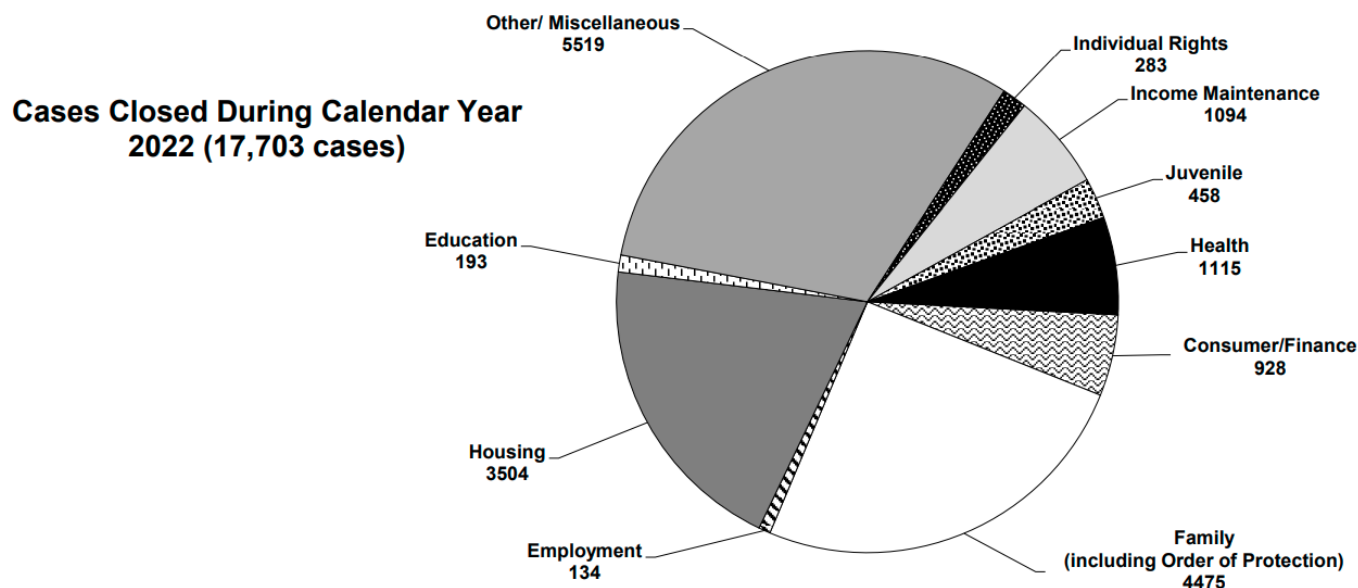
In response to a previous version, officials from the **Office of Administration - Budget and Planning (B&P)** §477.650.7’s repeal eliminates the current December 31, 2025 sunset date for the Basic Civil Legal Services Fund. Because the elimination of this sunset will preserve the status quo, it will have no impact on state revenues, TSR or 18e.

Oversight notes the Basic Civil Legal Services Fund (BCLS) is a statutorily created fund (SB 447 in 2003) and was created to fund the work of Missouri’s four Legal Aid programs, which provide access to the civil justice system to low-income Missourians (who live at or below 125% of the Federal Poverty Level) to protect their fundamental legal rights. The fund is set to expire December 31, 2025.

One of the focuses of the Legal Aid programs is to ensure that adults and children have access to medical care through the MoHealthNet system.

Legal Aid staff bring cases to obtain access to medical care for their clients. There are four regional Legal Aid offices: Kansas City, St. Louis, Columbia and Springfield. In FY22, over \$125 million from punitive damages awarded in talc litigation in Missouri was transferred from the Tort Victims Compensation Fund into the BCLS. This represents the largest single payment into the BCLS, and this funding was paid to legal service organizations.

Below is a chart of the number of cases closed during CY 2022 representing the BCLS Fund:



The fund has a court filing fee on certain civil and criminal actions of \$20 in the Missouri Supreme Court and Court of Appeals, \$10 in the circuit courts and \$8 in the associate circuit courts. The fund has received the following receipts during FY 2019 to FY 2023:

Basic Civil Legal Services Fund (0757)	
<u>Receipts</u>	
FY 19	\$ 4,417,206
FY 20	\$ 4,290,667
FY 21	\$ 3,868,347
FY 22	\$ 3,865,619
FY 23	\$ 4,047,390
Total	\$ 20,489,229
5 year average	\$ 4,097,846
Source: State Treasurer Fund Activity Reports	

Below is a history of the expended funds for the last 5 years:

Basic Civil Legal Services Fund (0757)			
	<u>Appropriation</u>	<u>Actual Expenditures</u>	<u>Unexpended Funds</u>
FY 20	\$ 5,099,958	\$ 4,467,368	\$ 632,590
FY 21	\$ 7,701,418	\$ 7,559,124	\$ 142,294
FY 22	\$ 5,102,383	\$ 2,813,393	\$ 2,288,990
FY 23	\$ 5,108,764	\$ 3,997,430	\$ 1,111,334
FY 24	\$ 5,117,803	N/A	N/A
Last 3 yr avg.	\$ 5,109,650	\$ 3,405,412	\$ 1,700,162
Source: OSCA Budget Requests Books			

Oversight notes this proposal removes the expiration date of these provisions. If the proposal is extended, Oversight assumes revenue and expenditure activity will continue for the fund. Since the fund does not expire until December 31, 2025, Oversight assumes only half of the average receipts and expenditures would be shown for FY26. Therefore, Oversight will use the average amounts from the table above to reflect the fiscal impact.

The appropriations for the BCLS Fund includes 2 FTEs according to OSCA. **Oversight** assumes should this proposal be extended, the 2 FTEs will also continue to be funded through the BCLS Fund.

In response to similar legislation from this year, HB 1838, officials from the **Attorney General's Office** each assumed 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.

Oversight notes the balance of the BCLS (0757) at December 31, 2023 was \$510,360.

§478.001 – Mental Health Courts

In response to a previous version, officials from the **Office of the State Courts Administrator (OSCA)** stated the potential budgetary impact could initially be \$600,000 and continue to increase due to the growth in mental health courts. There may be additional impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

In response to a previous version, officials from the **Attorney General's Office** assumed 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.

Oversight assumes this proposal establishes mental health courts within the treatment court division and specifies that a mental health court may be established by any circuit court.

Currently all 46 circuits provide treatment court services with an estimated 6,341 participants for CY 2022. The Treatment Court Division has 143 programs representing services for adult drugs, DWI, veterans, families and juveniles. Oversight assumes this proposal will add mental health to the services as an alternative to incarceration/probation.

Based upon FY 2023 expenditures for treatment courts using the Treatment Court Resources Fund, cost per participant is \$1,521 (\$9,642,143/6,341). There are many other factors that affect the operating costs associated with establishing and maintaining treatment courts which vary from county to county throughout the state.

OSCA's budget book presented the following information:

	CY 2022 participants	CY 2022 Programs
Adult Drug Treatment Court	4,470	82
DWI Treatment Court	985	25
Veterans Treatment Court	362	16
Family Treatment Court	498	16
Juvenile Treatment Court	26	4

In response to a previous version, officials from the **Christian County Auditor's Office** stated creation of a "Mental Health Court" amounts to an unfunded mandate by the state for the burden to be placed onto counties under 476.270 which requires all expenses of circuit courts to be paid

by the county. Currently, the cost for DWI, Drug and Veteran's Courts to Christian County is \$38,600 per year. It is expected that an additional administrator would be needed for this which would be an additional \$25-30,000/year.

Oversight is unaware of the number of mental health treatment courts that could be established, when those services would be needed and/or where those services would be located. Oversight assumes when the mental health treatment court services are needed within a certain circuit, OSCA would request the proper appropriation authority for those expenditures through the budget appropriation process. Therefore Oversight will reflect a \$0 or the estimated amount from OSCA that could continue to increase because of the potential growth in mental health courts. Oversight will reflect this as a transfer out of the General Revenue Fund and transferred into the Treatment Court Resources Fund for this proposal. Oversight will also reflect a potential costs to counties to help administer the mental health treatment courts.

§487.110 – Uniform Child Custody Jurisdiction and Enforcement Act

In response to similar legislation from this year, SB 897, officials from the **Office of State Courts Administrator (OSCA)** stated there may be some impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

§§488.040 & 494.455 – Compensation of Jurors

In response to a previous version, officials from the **Office of the State Courts Administrator (OSCA)** assumed this proposal states that in any county, or city not within a county, upon adoption by the governing body, no grand or petit juror shall receive compensation for the first two days of service but shall receive fifty dollars per day for the third day and each subsequent day he or she may serve. These funds are to be paid by the county. It is unknown how many counties will participate and the increase may result in an unknown cost or savings to the state or county. Section 494.455 also ties the juror mileage rate to the mileage rate as provided by law for state employees (rather than seven cents per mile).

In response to a previous version, officials from the **Office of Administration - Budget and Planning** assumed §488.040 revises current juror compensation requirements and may result in a change to the costs incurred by state and local courts for such compensation.

Oversight notes this section states the court of a judicial circuit may, by a majority vote, vote to restructure juror compensation so that grand and petit jurors do not get paid for the first two days of service but thereafter will receive \$50 per day, as well as mileage reimbursement at the rate provided by law for state employees for necessary travel from the juror's residence to the courthouse and back, to be paid by the county. Using information from the 2018 – 2022 Annual Supplemental Reports for Jury Trial Information (Table 57) from OSCA, there were 5 circuit who had averaged 3 or more days of service. These circuits were Platte (6), Clay (7), Jackson (16), Cole (19) and St. Louis County (21). Oversight notes current statute already requires the Greene County Circuit (31) to restructure juror compensation for this proposal.

Oversight notes according to information from the 2018 – 2022 Annual Supplemental Reports for Jury Trial Information (Table 57) from OSCA, there was an average of 897 days and 235 cases where jurors were in session for both civil and criminal cases for these 5 circuits. On average between these circuits, 3.8 days (897/235) were spent for each case. Using the chart below, Oversight assumes if the court votes to adopt this restructure of juror compensation within these 5 circuits, there could be an additional cost of up to \$191,904 each year. If the rest of the circuits were to adopt this restructuring plan, then there could also be a savings of up to \$92,736 each year. This would be the minimum payout and does not include mileage reimbursement to jurors, since Oversight does not have that information available. Therefore, Oversight will reflect an unknown cost to pay jurors that could exceed \$99,168 (\$191,904 – 92,736) annually.

Officials from the **Clay County Auditor’s Office** assume a cost of \$1,000 per year for the increase in mileage reimbursement for jurors.

In response to similar legislation from this year, Perfected HCS for HB 1886, officials from the **Office of the State Treasurer**, the cities of **St. Louis & O’Fallon**, the **Jackson County Board of Elections**, the **Christian County Auditor’s Office**, the **Local Government Employees Retirement System**, the **Morgan County PWS #2**, the **Attorney General’s Office**, the **City of Osceola**, the **Eureka Fire Protection District** and the **Osceola Water/Wastewater District** each assumed the proposal would not change their fiscal impact estimates on the underlying proposal. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

§488.426 – St. Louis City Circuit Court Civil Case Filing Fee

In response to similar legislation from this year, SB 897, officials from the **Office of Administration - Budget and Planning** assumed this section appears to alter the scope of circuits to which certain surcharge authorizations apply, potentially impacting TSR.

In response to similar legislation from this year, SB 897, officials from the **Office of the State Courts Administrator (OSCA)** assumed this proposal allows the circuit court in St. Louis City to collect a fee not to exceed twenty dollars, rather than fifteen, to go toward the law library. During the past five years there was an average of 12,933 circuit civil case filings, 5,399 domestic relations civil case filings and 15,361 associate civil and small claims civil case filings, a total of 33,693. Based upon the increase in the collection fee not to exceed \$20.00, rather than \$15.00, to go toward the library, OSCA estimates the increase to be \$0 to \$168,465 (\$5 x 33,693).

Oversight notes using information on the City of St. Louis from OSCA’s Judicial Report Supplement for FY12 thru FY22, Oversight projects the follow:

Circuit Civil	10,668
Domestic Relations	6,488
Associate Civil and Small Claims	<u>16,798</u>
Civil Circuit Total	33,954

Oversight estimates the increase to be \$169,770 (\$5 * 33,954).

Oversight assumes the provisions of this section will not create a material fiscal impact to local political subdivisions other than St. Louis City Circuit Court.

§§491.075, 492.304– Judicial Proceedings

In response to similar legislation from this year, HB 1706, officials from the **Office of State Courts Administrator (OSCA)** stated there may be some impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

§509.520 – Court Pleadings, Attachments, and Exhibits

In response to similar legislation from 2023, Perfected HCS for HB Nos. 994, 52 & 984, officials from **Department of Corrections (DOC)** assumed this section prohibits the court from including some personal identifying information in judgments or orders, therefore, making it difficult for staff to verify identity before individual can be accepted for incarceration. This could have an unknown impact.

Oversight assumes because the potential for impact is speculative, the DOC will not incur significant cost related to this proposal. If a fiscal impact were to result, the DOC may request additional funding through the appropriation process.

In response to similar legislation from 2023, Perfected HCS for HB Nos. 994, 52 & 984, officials from the **City of Springfield, Putnam County, the Attorney General’s Office** and the **St. Joseph Police Department** each assumed 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.

§§510.500, 510.503, 510.506, 510.509, 510.512, 510.515, 510.518, 510.521 – Uniform Interstate Depositions and Discovery Act

In response to a previous version, officials from the **Office of State Courts Administrator (OSCA)** stated there may be some impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

In response to similar legislation from this year, Perfected HCS for HB 1886, officials from the **Office of the State Treasurer**, the cities of **St. Louis & O’Fallon**, the **Jackson County Board of Elections**, the **Christian County Auditor’s Office**, the **Local Government Employees Retirement System**, the **Morgan County PWS #2**, the **Attorney General’s Office**, the **City of Osceola**, the **Eureka Fire Protection District** and the **Osceola Water/Wastewater District** each assumed the proposal would not change their fiscal impact estimates on the underlying proposal. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

§534.157 – Rental Properties Transfers of Titles

Oversight assumes this section will have no fiscal impact.

§537.529 – Uniform Public Expression Protection Act

In response to similar legislation from 2022, HB 2624, officials from the **Office of the State Courts Administrator** assumed the proposal will 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.

§§566.151 and 567.030 – Criminal offenses involving a child

In response to similar legislation from this year, SB 897, officials from the **Department of Corrections (DOC)** stated this proposal modifies provisions relating to judicial proceedings. Section 566.151 changes the age of the victim from any person who is less than fifteen to less than seventeen years of age. Section 567.030 changes the age of the victim from less than eighteen years of age but older than fourteen to older than fifteen years of age. The bill changes the existing class D felony to a class B felony.

Regarding section 566.151, the increase in the minimum age under which a person can be considered enticed as a child could create additional instances in which a person could be charged with a crime under this section. However, there is no available data to determine the number of 16 and 17 year olds to whom this could have potentially applied. Therefore, the impact is an unknown cost.

Regarding section 567.030, there were three new court commitments to prison and five new probation cases under this section during FY 2023. These offenses would be changed from class D felonies to class B felonies. The average sentence length for a class D felony sex and child abuse offense is 6.6 years, with 5.3 years spent in prison. Changing this to a class B felony would extend the sentence length to 9.0 years, with 7.2 years spent in prison.

The estimated cumulative impact on the DOC would be 0 additional offenders in prison and 0 additional offenders on field supervision by FY 2027.

Change in prison admissions and probation openings with legislation-Class B Felony

	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032	FY2033	FY2034
New Admissions										
Current Law	8	8	8	8	8	8	8	8	8	8
After Legislation	8	8	8	8	8	8	8	8	8	8
Probation										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	0	0	0	0	0	0	0	0	0	0
Change (After Legislation - Current Law)										
Admissions										
Probations										
Cumulative Populations										
Prison						6	14	15	15	15
Parole						-6	-10	-4	4	4
Probation										
Impact										
Prison Population						6	14	15	15	15
Field Population						-6	-10	-4	4	4
Population Change							4	11	19	19

	# to prison	Cost per year	Total Costs for prison	Change in probation & parole officers	Total cost for probation and parole	# to probation & parole	Grand Total - Prison and Probation (includes 2% inflation)
Year 1	0	(\$9,689)	\$0	0	\$0	0	\$0
Year 2	0	(\$9,689)	\$0	0	\$0	0	\$0
Year 3	0	(\$9,689)	\$0	0	\$0	0	\$0
Year 4	0	(\$9,689)	\$0	0	\$0	0	\$0
Year 5	0	(\$9,689)	\$0	0	\$0	0	\$0
Year 6	6	(\$9,689)	(\$64,185)	0	\$0	-6	(\$64,185)
Year 7	14	(\$9,689)	(\$152,759)	0	\$0	-10	(\$152,759)
Year 8	15	(\$9,689)	(\$166,944)	0	\$0	-4	(\$166,944)
Year 9	15	(\$9,689)	(\$170,283)	0	\$0	4	(\$170,283)
Year 10	15	(\$9,689)	(\$173,689)	0	\$0	4	(\$173,689)

* If this impact statement has changed from statements submitted in previous years, it could be due to an increase/decrease in the number of offenders, a change in the cost per day for institutional offenders, and/or an increase in staff salaries.

If the projected impact of legislation is less than 1,500 offenders added to or subtracted from the department's institutional caseload, the marginal cost of incarceration will be utilized. This cost of incarceration is \$26.545 per day or an annual cost of \$9,689 per offender and includes such costs as medical, food, and operational E&E. However, if the projected impact of legislation is 1,500 or more offenders added or removed to the department's institutional caseload, the full cost of incarceration will be used, which includes fixed costs. This cost is \$99.90 per day or an annual cost of \$36,464 per offender and includes personal services, all institutional E&E,

medical and mental health, fringe, and miscellaneous expenses. None of these costs include construction to increase institutional capacity.

DOC’s cost of probation or parole is determined by the number of P&P Officer II positions that are needed to cover its caseload. The DOC average district caseload across the state is 51 offender cases per officer. An increase/decrease of 51 cases would result in a cost/cost avoidance equal to the salary, fringe, and equipment and expenses of one P&P Officer II. Increases/decreases smaller than 51 offender cases are assumed to be absorbable.

In instances where the proposed legislation would only affect a specific caseload, such as sex offenders, the DOC will use the average caseload figure for that specific type of offender to calculate cost increases/decreases.

Oversight notes, from information provided by the State Courts Administrator, the following number of felony convictions under §566.151 and §567.030:

	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
§566.151 felonies	19	25	22	23
§567.030 felonies	0	2	3	2

Oversight notes the felony convictions under §566.151 are a class F felony. Oversight will reflect DOC’s impact as an unknown impact to the General Revenue Fund. Oversight notes it would take roughly 26 additional prisoners to reach the \$250,000 cost threshold. Oversight will assume a fiscal impact of less than \$250,000

§595.045 – Crime Victims’ Compensation Fund

In response to similar legislation from this year, SB 897, officials from the **Department of Public Safety - Office of the Director (DPS)** stated in CY 2022, there were 10,822 class E felony convictions. This data was pulled using charge level felony E with a charge disposition of Guilty Plea, Guilty Plea Written, Tried by Court- Guilty, Jury Verdict - Guilty, Alford Plea and a Charge Disposition Date within CY2022. It does not include juvenile cases.

DPS assumes this will bring in an estimated \$500,000 ($\$46 \times 10,822 = \$497,812$) into the Crime Victims’ Compensation Fund.

Oversight notes the provisions of this section state the court shall enter a judgment payable to the Crime Victims’ Compensation Fund of \$46 for a class E felony. Oversight also notes, from information provided by the Office of the State Courts Administrator, the following number of E felony convictions from FY 2019 through FY 2022:

<u>FY 2019</u>	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>
8,677	7,545	8,407	10,575

The average number of E felonies over this four-year period is 8,801 (8,677 + 7,545 + 8,407 + 10,575). However, as the exact number of E felony convictions could vary substantially from year to year, **Oversight will reflect an Unknown, greater than \$250,000 to the Crime Victims' Compensation Fund.** Oversight notes the ending balance in the Crime Victims' Compensation Fund as of January 31, 2024, is \$2,080,937.

In response to similar legislation from this year, SB 897, officials from the **Office of Administration - Budget and Planning** assumed §595.045.8 expands the application of a current court cost surcharge that generates revenues for the state's Crime Victim Compensation Fund, potentially impacting TSR.

Responses regarding the proposed legislation as a whole

Officials from the **Office of Administration - Administrative Hearing Commission**, the **Department of Commerce and Insurance**, the Department of Economic Development, the **Department of Elementary and Secondary Education**, the **Department of Higher Education and Workforce Development**, the **Department of Natural Resources**, the **Department of Labor and Industrial Relations**, the **Department of Public Safety (Fire Safety)**, **Department of Social Services**, **Missouri Department of Agriculture**, the **University of Missouri System**, the **St. Louis County Board of Elections**, the **County Employees Retirement Fund**, the **Public Education Employees' Retirement System**, the **South River Drainage District**, the **St. Charles County PWS #2**, the **Missouri House of Representatives**, the **Joint Committee on Administrative Rules**, the **Joint Committee on Education, Legislative Research**, the **Oversight Division** and the **Missouri Lottery Commission** 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.

In response to a previous version, officials from the **Office of Administration - Administrative Hearing Commission**, the **Department of Mental Health**, the **Department of Revenue**, the **Department of Public Safety (Division of Alcohol and Tobacco Control, Capitol Police, Office of the Director, Missouri Gaming Commission, Missouri Veterans Commission, State Emergency Management Agency)**, the **Office of the Governor**, the **Office of the Lieutenant Governor**, the **Missouri Department of Conservation**, the **Missouri Ethics Commission**, the **Missouri Department of Transportation**, the **Missouri National Guard**, the **MoDOT & Patrol Employees' Retirement System**, the **Office of Administration**, the **Petroleum Storage Tank Insurance Fund, Kansas City**, the **Platte County Board of Elections**, the **St. Louis City Board of Elections**, the **Newton County Health Department**, the **Lincoln County Assessor's Office**, the **Phelps County Sheriff's Office**, the **Branson Police Department**, the **Kansas City Police Department**, the **St. Louis County Police Department**, the **Kansas City Civilian Police Employees' Retirement**, the **Kansas City Police Retirement System**, the **Kansas City Public School Retirement System**, the **Metropolitan St. Louis Sewer District Employees Pension Plan**, the **Sheriff's Retirement System**, the **Metropolitan St. Louis Sewer District**, the **Pulaski County Sewer District #1**, the **Wayne County PWS #2**, **Missouri State University**, **Northwest Missouri State University**, the **University of**

Central Missouri, the Office of the State Auditor, the Joint Committee on Public Employee Retirement, Missouri Senate, the Missouri Consolidated Health Care Plan, the Missouri Higher Education Loan Authority, the Missouri Office of Prosecution Services and the State Tax Commission each assumed 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.

In response to a previous version, officials from the **Office of the Secretary of State (SOS)** noted many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$5,000. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with its core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other cities, counties, local election authorities, county health departments, county recorders, nursing homes, county assessors, county auditors, county circuit clerks, county collectors, county prosecutors, county treasurers, county public administrators, local law enforcement agencies, fire protection districts, ambulance districts, retirement agencies, schools, utility districts, hospitals 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>Savings</u> – for state attorneys not being charges for death certificates §193.265 p. 3-5	Unknown, less than \$15,000	Unknown, less than \$15,000	Unknown, less than \$15,000
<u>Cost Avoidance</u> – ALJ’s – potential savings in pay raises §§287.615 & 287.835 p. 5-6	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
<u>Cost</u> – ALJ’s/MOSERS – beneficiaries to receive benefit that they would not otherwise receive §287.835 p. 5-6	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<u>Loss of Revenue</u> – DHSS – no fees charged to certain attorneys for death certificates §193.265 p. 3-5	(Unknown, less than \$15,000)	(Unknown, less than \$15,000)	(Unknown, less than \$15,000)
<u>Costs</u> – OSCA (§454.1050) New child support module p. 9	(\$500,000 to \$1,000,000)	\$0	\$0
<u>Cost</u> – DOC (§454.1050) – to update offender management system and possible staff needed to process & remit payments p. 9	(Unknown)	(Unknown)	(Unknown)
<u>Transfer Out</u> - §478.001 – to establish mental health treatment courts p. 15-16	\$0 or (could exceed \$600,000)	\$0 or (could exceed \$600,000)	\$0 or (could exceed \$600,000)
<u>Cost</u> – DOC (§§566.151 and 567.030) Increased incarceration costs p. 19-21	(Unknown)	(Unknown)	(Unknown)
ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>(Unknown, could exceed \$1,600,000)</u>	<u>(Unknown, could exceed \$600,000)</u>	<u>(Unknown, could exceed \$600,000)</u>

<u>FISCAL IMPACT – State Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
CRIME VICTIMS’ COMPENSATION FUND (0681)			
<u>Revenue</u> – DPS (§595.045) Class E felony fee (\$46 per) p. 21-22	<u>Unknown, Greater than \$250,000</u>	<u>Unknown, Greater than \$250,000</u>	<u>Unknown, Greater than \$250,000</u>
ESTIMATED NET EFFECT ON THE CRIME VICTIMS’ COMPENSATION FUND	<u>Unknown, Greater than \$250,000</u>	<u>Unknown, Greater than \$250,000</u>	<u>Unknown, Greater than \$250,000</u>
STATE HIGHWAY FUNDS (0644)			
<u>Costs</u> – MHP §§435.300, 435.303, 435.306, 435.309 & 435.312 p. 6-7			
Personnel Service	(\$94,380)	(\$115,521)	(\$117,832)
Fringe Benefits	(\$82,771)	(\$101,312)	(\$103,338)
Expense & Equipment	\$0	\$0	\$0
<u>Total Costs -</u>	<u>(\$177,151)</u>	<u>(\$216,833)</u>	<u>(\$221,170)</u>
FTE Change	1 FTE	1 FTE	1 FTE
ESTIMATED NET EFFECT ON STATE HIGHWAY FUNDS (0644)	<u>(\$177,151)</u>	<u>(\$216,833)</u>	<u>(\$221,170)</u>
Estimated Net FTE Change on State Highway Funds	1 FTE	1 FTE	1 FTE
TREATMENT COURT RESOURCES FUND (0733)			
<u>Transfer In</u> – funds from GR §478.001 p. 15-16	\$0 or could exceed \$600,000	\$0 or could exceed \$600,000	\$0 or could exceed \$600,000
<u>Cost</u> – program expenditures §478.001 p. 15-16	<u>\$0 or (could exceed \$600,000)</u>	<u>\$0 or (could exceed \$600,000)</u>	<u>\$0 or (could exceed \$600,000)</u>

<u>FISCAL IMPACT – State Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
ESTIMATED NET EFFECT ON TREATMENT COURT RESOURCES FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
BASIC CIVIL LEGAL SERVICES FUND (0757)			
<u>Revenue</u> – OSCA – continuation of receipts received from \$8 court fee (§477.650) p. 12-15	\$0	\$2,048,923	\$4,097,846
<u>Cost</u> – OSCA – continuation of expenditures (§477.650) p. 12-15	<u>\$0</u>	<u>(\$1,702,706)</u>	<u>(\$3,405,412)</u>
ESTIMATED NET EFFECT ON THE BASIC CIVIL LEGAL SERVICES FUND	<u>\$0</u>	<u>\$346,217</u>	<u>\$692,434</u>
Estimated Net FTE Change for the Basic Civil Legal Services Fund	0 FTE	2 FTE	2 FTE

<u>FISCAL IMPACT – Local Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
LOCAL POLITICAL SUBDIVISIONS			
<u>Revenue</u> – St. Louis City Circuit - on filing fees to go towards law library §488.426 – from \$15 to \$20 – to beyond p. 17-18	Up to \$141,475	Up to \$169,770	Up to \$169,770
<u>Savings</u> – Prosecutors/Circuit Attorneys – no charges for death certificates §193.265 p. 3-5	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Costs</u> – counties - potential increase in costs for Guardians Ad Litem §455.010 p. 10	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

<u>FISCAL IMPACT – Local Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
<u>Costs</u> – counties – potential additional costs to house/administer mental health treatment courts §478.001 p. 15-16	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<u>Potential Revenue Loss</u> – LPHA – no fees charged to certain attorneys for death certificates §193.265 p. 3-5	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<u>Cost</u> – potential increase compensation in certain circuits for jurors (§494.455) p. 16-17	(Unknown, could exceed \$99,168)	(Unknown, could exceed \$99,168)	(Unknown, could exceed \$99,168)
ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	<u>More or Less than \$42,307</u>	<u>More or Less than \$70,602</u>	<u>More or Less than \$70,602</u>

FISCAL IMPACT – Small Business

Small business employers who hire ex-offenders could be impacted by this proposal.

FISCAL DESCRIPTION

This act modifies provisions relating to judicial proceedings.

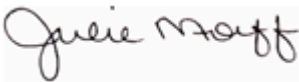
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

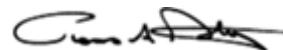
- Office of the State Courts Administrator
- Attorney General’s Office
- Department of Mental Health
- Missouri Office of Prosecution Services
- Office of the State Public Defender
- Office of the Secretary of State
- Jackson County Board of Elections
- Platte County Board of Elections
- St. Louis City Board of Elections
- St. Louis County Board of Elections
- Greene County
- Department of Labor and Industrial Relations
- Department of Revenue

Missouri Department of Transportation
Phelps County Sheriff's Office
Kansas City Police Department
St. Louis County Police Department
Office of Administration
Department of Natural Resources
Department of Public Safety
Missouri Department of Agriculture
MoDOT & Patrol Employees' Retirement System
Newton County Health Department
County Employees Retirement Fund
Sheriff's Retirement System
South River Drainage District
Joint Committee on Administrative Rules
Legislative Research
Oversight Division
Missouri Consolidated Health Care Plan
Department of Elementary and Secondary Education
Kansas City
Metropolitan St. Louis Sewer District
Missouri House of Representatives
Joint Committee on Education
Missouri State Employee's Retirement System
Department of Commerce and Insurance
Department of Economic Development
Department of Higher Education and Workforce Development
Missouri Department of Conservation
Office of the Governor
Department of Social Services
Missouri Lottery Commission
State Tax Commission
Joint Committee on Public Employee Retirement
Branson Police Department
Kansas City Public School Retirement System
University of Central Missouri
Department of Health and Senior Services
Missouri Ethics Commission
Missouri National Guard
Petroleum Storage Tank Insurance Fund
Office of the State Treasurer
St. Louis City
O'Fallon
Christian County Auditor's Office
Lincoln County Assessor's Office

Kansas City Civilian Police Employee Retirement
Kansas City Police Retirement System
Local Government Employees Retirement System
Metropolitan St. Louis Sewer District Employees Pension Plan
Public Education Employees' Retirement System
Morgan County PWSD #2
Wayne County PWSD #2
Northwest Missouri State University
Office of the State Auditor
Missouri Senate
University of Missouri System
Osceola
Eureka Fire Protection District
Osceola Water/Wastewater District
St. Charles County PWSD #2
Clay County Auditor's Office
Department of Corrections
Springfield
Putnam County
St. Joseph Police Department
Pulaski County Sewer District #1
Missouri Higher Education Loan Authority
Office of the Lieutenant Governor
Missouri State University



Julie Morff
Director
May 6, 2024



Ross Strope
Assistant Director
May 6, 2024