

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0246H.06C  
 Bill No.: HCS for HB 219  
 Subject: Children and Minors; Crimes and Punishment; Courts; Evidence; Sexual Offenses  
 Type: Original  
 Date: February 16, 2025

Bill Summary: This proposal modifies and establishes provisions relating to the protection of children and vulnerable persons.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2032)
General Revenue*	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	Could exceed (\$23,616)
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0 to (Unknown)</b>	<b>\$0 to (Unknown)</b>	<b>\$0 to (Unknown)</b>	<b>Could exceed (\$23,616)</b>

\*The fiscal impact to General Revenue could exceed the \$250,000 threshold depending on the level of appropriation to the Anti-Trafficking Fund (§210.1505), if any.

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2032)
Anti-Trafficking Fund*	\$0	\$0	\$0	\$0
<b>Total Estimated Net Effect on Other State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

\*Revenue and expenses net to zero. Numbers within parentheses: ( ) indicate costs or losses.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2032)
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2032)
Anti-Trafficking Fund	2 FTE	2 FTE	2 FTE	2 FTE
<b>Total Estimated Net Effect on FTE</b>	<b>2 FTE</b>	<b>2 FTE</b>	<b>2 FTE</b>	<b>2 FTE</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>				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2032)
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

#### §210.1505 – Statewide Council Against Adult Trafficking and the Commercial Sexual Exploitation of Children

In response to a previous version, officials from the **Attorney General's Office (AGO)** assumed this proposal will increase caseloads. The AGO requests one (1) AAG IV to manage the additional cases and one (1) Paralegal to support the additional attorney.

**Oversight** does not have any information contrary to that provided by AGO. Therefore, Oversight will reflect AGO's impact for fiscal note purposes.

Officials from the **Missouri Senate (SEN)** anticipate a negative fiscal impact to reimburse one senator for travel to Statewide Council Against Adult Trafficking and the Commercial Sexual Exploitation of Children Council meetings.

The SEN assumes meetings will be held in Jefferson City during the interim. The average of the total round trip miles for current sitting senators is 255 miles and the current mileage rate, as set by the Office of Administration is \$0.655 cents per mile. Therefore, the SEN estimates a total cost for senator mileage of approximately \$167. The SEN assumes no fiscal responsibility for the other committee members.

**Oversight** does not have any information to the contrary. Oversight assumes the SEN can absorb the minimal fiscal impact for this proposal within existing funding levels and will reflect no fiscal impact for this agency.

Officials from the **Missouri House of Representatives (MHR)** assume the proposal will have no fiscal impact on their organization. The MHR will absorb any reasonable expenses of our member serving on the council. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note.

**Oversight** notes the provisions of this section establish the Anti-Trafficking Fund, which consists of moneys appropriated by the General Assembly as well as court-ordered restitution from human trafficking offenses, any proceeds as provided under section 566.218.2, any gifts, donations, grants, and bequests. Moneys in the fund shall be used solely to pay for the position of the executive director and administrative support for the statewide council, education and awareness regarding human trafficking, and anti-trafficking efforts through the state.

**Oversight** will reflect the possibility that the General Assembly could appropriate moneys to this new fund from the General Revenue Fund. For fiscal note purposes, Oversight assumes services provided under this proposal will equal income/appropriations and net to zero.

§§566.151, 566.210, 566.211, and 567.030 – Criminal offenses involving a child and prostitution

Officials from the **Department of Corrections (DOC)** state this proposal modifies and establishes provisions relating to the protection of children and vulnerable persons.

Section 566.151 changes the age of the victim from any person who is less than fifteen to seventeen years of age. From FY 2022 to FY 2024, the department totaled 59 new prison admissions and 3 new probation cases for sentences of enticement of a child. The increase in the minimum age under which a person can be considered to be 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 for this section is an unknown cost.

Section 566.210 changes language to extend the term of imprisonment prior to parole eligibility from 25 to 30 years for sentences on the offense of sexual trafficking of a child in the first degree. There was one person admitted to prison as a new court commitment under section 566.210 in FY 2024. Given the minimum prison term for these sentences are already set at 25 years, this change would not start to have an impact on the department for 25 years from the effective date. Therefore, given the 10-year time frame for this response, DOC assumes no impact for this reporting period in this section.

Section 566.211 creates the offense of sexual trafficking of a child in the second degree by a parent, legal guardian, or other person having custody or control of a child. The DOC does not anticipate an impact to this section as none of the offenders sentenced in the past 3 years would be impacted by this legislation.

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.

There were one new court commitments to prison and no new probation cases under section 567.030 during FY 2024. These offenses could 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 7.3 years spent in prison.

The estimated cumulative impact on the department would be an additional 2 offenders in prison and one less offender on field supervision by FY 2032.

Change in prison admissions and probation openings with legislation

	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032	FY2033	FY2034	FY2035
<b>New Admissions</b>										
Current Law	1	1	1	1	1	1	1	1	1	1
After Legislation	1	1	1	1	1	1	1	1	1	1
<b>Probation</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	0	0	0	0	0	0	0	0	0	0
<b>Change (After Legislation - Current Law)</b>										
Admissions										
Probations										
<b>Cumulative Populations</b>										
Prison										
Parole										
Probation										
<b>Impact</b>										
Prison Population						1	2	2	2	2
Field Population						-1	-1	-1		
<b>Population Change</b>										
								1	2	2

	# 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	(\$10,485)	\$0	0	\$0	0	\$0
Year 2	0	(\$10,485)	\$0	0	\$0	0	\$0
Year 3	0	(\$10,485)	\$0	0	\$0	0	\$0
Year 4	0	(\$10,485)	\$0	0	\$0	0	\$0
Year 5	0	(\$10,485)	\$0	0	\$0	0	\$0
Year 6	1	(\$10,485)	(\$11,576)	0	\$0	(1)	(\$11,576)
Year 7	2	(\$10,485)	(\$23,616)	0	\$0	(1)	(\$23,616)
Year 8	2	(\$10,485)	(\$24,088)	0	\$0	(1)	(\$24,088)
Year 9	2	(\$10,485)	(\$24,570)	0	\$0	0	(\$24,570)
Year 10	2	(\$10,485)	(\$25,061)	0	\$0	0	(\$25,061)

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 \$28.73 per day or an annual cost of \$10,485 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 \$100.25 per day or an annual cost of \$36,591 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

**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>	<u>FY 2024</u>
§566.151 felonies	19	25	22	24	24
§567.030 felonies	0	2	1	2	0

Oversight will reflect DOC's impact as an unknown impact to the General Revenue Fund. Oversight notes it would take roughly 24 additional prisoners to reach the \$250,000 cost threshold. Oversight will assume a fiscal impact of less than \$250,000.

#### §566.218 – Restitution required for certain offenders

**Oversight** notes any real or personal property that was used, attempted to be used, or intended to be used to commit a sexual offense under 566.203, 566.206, 566.209, 566.210, 566.211, 566.212, 566.213, and 566.215 may be seized. Any proceeds from the sale of the property will be allocated to pay an order of restitution to a victim(s) of human trafficking, with any remaining funds deposited into the Anti-Trafficking Fund. As the exact amount of proceeds from the sale of seized property will vary from year to year, Oversight will reflect a \$0 to Unknown impact to the Anti-Trafficking Fund.

#### Responses regarding the proposed legislation as a whole

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** notes OSCA assumes this proposal may have some impact on their organization although it can't be quantified at this time. As OSCA is unable to provide additional information regarding the potential impact, Oversight assumes the proposed legislation will have a \$0 to (Unknown) cost to the General Revenue Fund. For fiscal note purposes, Oversight also assumes the impact will be under \$250,000 annually. If this assumption is incorrect, this would alter the

fiscal impact as presented in this fiscal note. If additional information is received, Oversight will review it to determine if an updated fiscal note should be prepared and seek approval to publish a new fiscal note.

Officials from the **Washington School District** state the financial impact would be about \$2,000 for training and documentation updates.

**Oversight** assumes some annual training is conducted regardless of this bill and this change could be incorporated into that training and absorbed within current resources.

Officials from the **Department of Commerce and Insurance**, the **Department of Elementary and Secondary Education**, the **Department of Health and Senior Services**, the **Department of Mental Health**, the **Department of Natural Resources**, the **Department of Public Safety – (Office of the Director, and Missouri Highway Patrol)**, the **Department of Social Services**, the **Missouri Department of Conservation**, the **Missouri Office of Prosecution Services**, the **Office of Administration**, the **Office of the Governor**, the **Office of the State Public Defender**, the **City of Kansas City**, the **City of O’Fallon**, the **Phelps County Sheriff’s Department**, the **Branson Police 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.

In response to a previous version, officials from the **Department of Public Safety - Capitol Police** and 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 for these agencies.

**Oversight** only reflects the responses received from state agencies and political subdivisions; however, other cities, counties, nursing homes, local law enforcement, schools, 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</u> – State Government	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2032)
<b>GENERAL REVENUE</b>				
<u>Cost</u> – DOC p. 4-6 (§§566.151 and 567.030) Increased incarceration costs	(Unknown)	(Unknown)	(Unknown)	Could exceed (\$23,616)
<u>Cost</u> – OSCA (various sections) Potential costs relating to the protection of children and vulnerable persons p. 6-7	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<u>Transfer Out</u> – p. 3 (§210.1505) To the Anti- Trafficking Fund	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<u>\$0 to</u> <b>(Unknown)</b>	<u>\$0 to</u> <b>(Unknown)</b>	<u>\$0 to</u> <b>(Unknown)</b>	<b>Could exceed</b> <b>(\$23,616)</b>
<b>ANTI- TRAFFICKING FUND</b>				
<u>Income</u> – (§210.1505) Court-ordered restitution from human trafficking offenses p. 3	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown



<u>FISCAL IMPACT</u> <u>– State</u> <u>Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2032)
<u>Income –</u> (§210.1505) p. 3 Potential proceeds from orders of restitution as provided under §566.218.2	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Income – p. 3</u> (§210.1505) Gifts, grants, donations	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Transfer In – p. 3</u> (§210.1505) From General Revenue	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Cost – AGO</u> (§210.1505) p. 3				Could exceed...
Personal Service	(\$123,333)	(\$150,960)	(\$153,979)	(\$153,979)
Fringe Benefits	(\$75,752)	(\$92,089)	(\$93,299)	(\$93,299)
Exp. & Equip.	(\$21,812)	\$0	\$0	\$0
Training and anti- trafficking efforts	(Unknown)	(Unknown)	(Unknown)	(Unknown)
<u>Total Cost - AGO</u>	<u>Could exceed</u> <u>(\$220,897)</u>	<u>Could exceed</u> <u>(\$243,049)</u>	<u>Could exceed</u> <u>(\$247,278)</u>	<u>Could exceed</u> <u>(\$247,278)</u>
FTE Change - AGO	2 FTE	2 FTE	2 FTE	2 FTE
<b>ESTIMATED NET EFFECT ON THE ANTI- TRAFFICKING FUND</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
Estimated Net FTE Change on the Anti- Trafficking Fund	2 FTE	2 FTE	2 FTE	2 FTE

<u>FISCAL IMPACT</u> – <u>Local</u> <u>Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2032)
	<u>\$0</u>	<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

The proposed legislation modifies provisions relating to the protection of children and vulnerable persons.

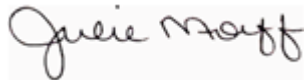
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

- Attorney General’s Office
- Department of Commerce and Insurance
- Department of Corrections
- Department of Elementary and Secondary Education
- Department of Health and Senior Services
- Department of Mental Health
- Department of Natural Resources
- Department of Public Safety
- Department of Social Services
- Missouri Department of Conservation
- Missouri House of Representatives
- Missouri Office of Prosecution Services
- Missouri Senate
- Office of Administration
- Office of the Governor
- Office of the State Courts Administrator
- Office of the State Public Defender
- Office of the State Treasurer
- City of Kansas City
- City of O’Fallon
- Phelps County Sheriff’s Department

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Branson Police Department  
Kansas City Police Department  
St. Louis County Police Department  
Washington School District



Julie Morff  
Director  
February 16, 2025



Jessica Harris  
Assistant Director  
February 16, 2025