

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0305H.02C
 Bill No.: HCS for HB Nos. 93 & 1139
 Subject: Courts; Judges; Governor and Lt. Governor; Counties
 Type: Original
 Date: April 7, 2025

Bill Summary: This proposal adds additional judgeships in certain judicial circuits.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
General Revenue	(\$1,775,322)	(\$1,979,523)	(\$2,017,536)
Total Estimated Net Effect on General Revenue	(\$1,775,322)	(\$1,979,523)	(\$2,017,536)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
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 2026	FY 2027	FY 2028
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
General Revenue	10 FTE	10 FTE	10 FTE
Total Estimated Net Effect on FTE	10 FTE	10 FTE	10 FTE

- 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 2026	FY 2027	FY 2028
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§§478.550, 478.690, 478.700, 478.705, and 478.710– Adds additional judgeships in certain judicial circuits

Officials from the **Office of the State Courts Administrator (OSCA)** state this proposed legislation authorizes additional Judgeships in certain Judicial Circuits.

§478.550 – Associate Circuit Judge to 23rd judicial circuit

Section 478.550 adds one additional associate circuit judge to the Twenty-Third Judicial circuit to be elected in 2028. This shall not be included in the statutory formula for authorizing additional judges per county. The FY26 salary of an associate circuit judge is projected to be \$166,154 plus E&E of \$2,978 (\$2,117 one-time; \$861 on-going).

The addition of an associate circuit judge includes a senior court clerk for the associate circuit judge. The FY25 starting salary for a senior court clerk is \$46,057 plus E & E of \$2,978 (\$2,117 one-time; \$861 on-going).

§478.690 – Circuit Judge to 24th judicial circuit

Section 478.690 adds one additional circuit judge to the Twenty-Fourth Judicial circuit to be elected in 2026. The FY26 salary of a circuit judge is projected to be \$180,602 plus E&E of \$2,978 (\$2,117 one-time; \$861 on-going).

The addition of a circuit judge includes a court reporter for the circuit judge. The FY25 starting salary of a court reporter is \$72,516 plus E & E of \$2,978 (\$2,117 one-time; \$861 on-going).

§478.700 – Circuit Judge to 25th judicial circuit

Section 478.700 adds one additional circuit judge to the Twenty-fifth Judicial circuit to be elected in 2026. The FY26 salary of a circuit judge is projected to be \$180,602 plus E&E of \$2,978 (\$2,117 one-time; \$861 on-going).

The addition of a circuit judge includes a court reporter for the circuit judge. The FY25 starting salary of a court reporter is \$72,516 plus E & E of \$2,978 (\$2,117 one-time; \$861 on-going).

§478.705 – Associate Judge for Miller County

Section 478.705 adds an associate circuit judge to be elected in 2028 for Miller County. This shall not be included in the statutory formula for authorizing additional judges per county. The FY26 salary of an associate circuit judge is projected to be \$166,154 plus E&E of \$2,978 (\$2,117 one-time; \$861 on-going).

The addition of an associate circuit judge includes a senior court clerk for the associate circuit judge. The FY25 starting salary for a senior court clerk is \$46,057 plus E & E of \$2,978 (\$2,117 one-time; \$861 on-going).

§478.710 - Circuit Judge to 32nd judicial circuit

Section 478.710 adds one additional circuit judge to the Thirty-Second Judicial circuit to be elected in 2028. The FY26 salary of a circuit judge is projected to be \$180,602 plus E&E of \$2,978 (\$2,117 one-time; \$861 on-going).

The addition of a circuit judge includes a court reporter for the circuit judge. The FY25 starting salary of a court reporter is \$72,516 plus E &E of \$2,978 (\$2,117 one-time; \$861 on-going).

In summary, OSCA states the proposed legislation adds 10 FTE with an approximate cost of \$1,213,556 annually.

Oversight has no information to the contrary. Oversight notes the estimated cost provided by OSCA does not include fringe benefits. For fiscal note purposes, Oversight will estimate the fringe benefits for the proposed FTE, plus a 2% inflation factor for salaries and E&E.

Officials from the **Office of Administration - Budget and Planning (B&P)** state:

Section 478.376 mandates there shall be three circuit judges in the sixth judicial circuit. In the event there are not already three circuit judges funded in the Judiciary's budget, this legislative change may prompt a new funding request from the Judiciary. B&P defers to OSCA for specific cost estimates.

Section 478.550.5 mandates there shall be one additional associate circuit judge position in the twenty-third judicial circuit. B&P assumes this legislative change will prompt an additional funding request from the Judiciary. B&P defers to OSCA for specific estimates.

Section 478.610.1 mandates there shall be five circuit judges in the thirteenth judicial circuit rather than the three currently mandated in statute. In the event there are not already five circuit judges funded in the Judiciary's budget, this legislative change may prompt a new funding request from the Judiciary. B&P defers to OSCA for specific cost estimates.

Section 478.690.1 mandates there shall be three circuit judges in the twenty-fourth judicial circuit rather than the two currently mandated in statute. In the event there are not already three circuit judges funded in the Judiciary's budget, this legislative change may prompt a new funding request from the Judiciary. B&P defers to OSCA for specific cost estimates.

Section 478.700.1 mandates there shall be three circuit judges in the twenty-fifth judicial circuit rather than the two currently mandated in statute. In the event there are not already three circuit

judges funded in the Judiciary's budget, this legislative change may prompt a new funding request from the Judiciary. B&P defers to OSCA for specific cost estimates.

Section 478.705.3 mandates there shall be one additional associate circuit judge in Miller County. This legislative change may prompt a new funding request from the Judiciary. B&P defers to OSCA for specific cost estimates.

Section 478.710.1 mandates there shall be three circuit judges in the thirty-second judicial circuit rather than the two currently mandated in statute. In the event there are not already three circuit judges funded in the Judiciary's budget, this legislative change may prompt a new funding request from the Judiciary. B&P defers to OSCA for specific cost estimates.

Officials from the **Office of the Governor (GOV)** state this bill adds to the Governor's current load of appointment duties. Individually, additional requirements should not fiscally impact the GOV. However, the cumulative impact of additional appointment duties across all enacted legislation may require additional resources for the GOV.

Oversight has no information to the contrary. Therefore, Oversight will present no fiscal impact for this proposal for the GOV.

Officials from the **Office of the Secretary of State and Legislative Research** 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.

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
GENERAL REVENUE FUND			
<u>Costs – OSCA (§§478.550, 478.690, 478.700, 478.705 & 478.710)</u>			
Personal service	(\$986,480)	(\$1,115,651)	(\$1,137,964)
Fringe benefits	(\$760,497)	(\$855,090)	(\$870,614)
Equipment and expense	(\$28,345)	(\$8,782)	(\$8,958)
Total Costs – OSCA	(\$1,775,322)	(\$1,979,523)	(\$2,017,536)
FTE Change – OSCA	10 FTE	10 FTE	10FTE
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	(\$1,775,322)	(\$1,979,523)	(\$2,017,536)
Estimated Net FTE Change on the General Revenue Fund	10 FTE	10 FTE	10FTE

<u>FISCAL IMPACT – Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
	<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 requires the clerk of the Missouri Supreme Court to notify the Revisor of Statutes of any authorized new circuit judgeships, and the Revisor must publish a footnote listing the authorized judgeships and the corresponding judicial circuits. Any new judgeship authorized under the provisions of this bill will be elected at the next general election and every six years thereafter, unless the judgeship is in a circuit where the circuit judges are selected under the Missouri Nonpartisan Court Plan.

The bill authorizes the following additional judgeships: (1) Three circuit judges in the 6th judicial circuits; (2) One additional associate circuit judge in the 23rd judicial circuit. This judgeship will not be included in the statutory formula for authorizing additional associate circuit judgeships. The Governor will appoint the judge, who will serve until January 1, 2029, and a judge will be elected in 2028; (3) One additional circuit judge in the 13th judicial circuit. The judge will be elected in 2030 and ever six years thereafter; (4) One additional circuit judge in the 24th judicial circuit. The Governor will appoint the judge, who will serve until January 1, 2027, and a judge will be elected in 2026 and every six years thereafter; (5) One additional circuit judge in the 25th judicial circuit. The Governor will appoint the judge, who will serve until January 1, 2027, and a judge will be elected in 2026 and every six years thereafter; (6) One additional associate circuit judge in the 26th judicial circuit. This judgeship will not be included in the statutory formula for authorizing additional associate circuit judgeships. The Governor will appoint the judge, who will serve until January 1, 2029, and a judge will be elected in 2028 and every four years thereafter. The bill also clarifies that a circuit judgeship in division three in this circuit is for a term of six years; and (7) One additional circuit judge in the 32nd judicial circuit. The additional judge will be appointed initially by the Governor, and then elected in 2028.

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

SOURCES OF INFORMATION

Office of Administration - Budget and Planning
Office of the Governor
Office of the Secretary of State
Legislative Research
Office of the State Courts Administrator



Julie Morff
Director
April 7, 2025



Jessica Harris
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April 7, 2025