

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0392H.011
 Bill No.: HB 242
 Subject: Children and Minors; Marriage and Divorce; Courts; Domestic Relations; Family Law
 Type: Original
 Date: February 10, 2025

Bill Summary: This proposal modifies provisions relating to domestic relations.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
General Revenue*	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
Total Estimated Net Effect on General Revenue	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

*Unknown impact to OSCA relating to spousal maintenance orders assumed to be less than \$250,000 annually.

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
Total Estimated Net Effect on FTE	0	0	0

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§§452.335 & 452.370 – Spousal Maintenance Orders

Officials from the **Office of State Courts Administrator (OSCA)** state there may be some impact but there is no way to quantify that amount 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 **Department of Social Services**, the **Department of Mental Health**, the **Missouri House of Representatives** and the **Missouri Senate** 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.

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
GENERAL REVENUE FUND			
<u>Costs</u> – OSCA (§§452.335 & 452.370) increased costs relating to spousal maintenance orders p.3	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>

<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 creates three categories of spousal maintenance orders that may be awarded by a court in certain proceedings: (1) Bridge maintenance orders may be awarded to a party to a short-term marriage, defined as having a duration of three years but less than 10 years, to provide support for legitimate short-term needs for no more than two years. This award will not be modifiable in duration or amount; (2) Rehabilitative maintenance orders may be awarded to assist a party to a short-term marriage or a moderate-term marriage, defined as having a duration of 10 years but less than 20 years. This award is designed to facilitate self-support through the redevelopment of previous skills or credentials or the acquisition of education, training, or work experience and the development and implementation of a career plan and goals. There will be a specific and defined rehabilitative plan prior to awarding a rehabilitative maintenance order and the order will not exceed four years in duration. Rehabilitative maintenance orders may be terminated upon a substantial change in circumstances, upon noncompliance with the rehabilitative plan, or upon completion of the plan; and (3) Durational maintenance orders may be awarded to provide for the needs and necessities of a party as established during a moderate-term or long-term marriage, defined as having a duration of 20 or more years. For marriages lasting: (a) Three years but less than 10 years, durational maintenance must not exceed 50% of the marriage's length; (b) Ten years but less than 20 years, durational maintenance must not exceed 60% of the marriage's length; and (c) Twenty or more years, durational maintenance must not exceed 75% of the marriage's length.

Durational maintenance orders may be modified as specified in the bill. In establishing the term of durational maintenance, and for the purposes of maintenance modifications decided on or after August 28, 2025, the court must consider all relevant factors including but not limited to: (1) The ability of the spouse paying maintenance to retire; (2) The age of the party paying maintenance; (3) The duration and amount of maintenance already paid; and (4) The likelihood that the lifestyle of both spouses may reasonably decline following a dissolution and as the parties approach retirement age.

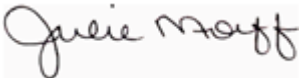
A court may exceed the durational limits specified in this bill in awarding or modifying rehabilitative or durational maintenance only if the court specifically finds, after consideration of all relevant factors, that the durational limits are not in the interests of fairness for the party seeking maintenance or modification of an existing maintenance order. The court must enter

written findings of fact and conclusions of law setting forth the grounds for exceeding the durational limits. (§§452.335 & 452.370)

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

SOURCES OF INFORMATION

Department of Mental Health
Department of Social Services
Missouri House of Representatives
Missouri Senate
Office of the State Courts Administrator



Julie Morff
Director
February 10, 2025



Jessica Harris
Assistant Director
February 10, 2025