

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0996H.03P
Bill No.: Perfected HCS for HB 507
Subject: Elections; County Officials
Type: Original
Date: April 2, 2025

Bill Summary: This proposal modifies provisions relating to elections.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2030)
General Revenue	(\$8,737)	(\$21,389)	(\$32,276)	(\$56,746)
Total Estimated Net Effect on General Revenue	(\$8,737)	(\$21,389)	(\$32,276)	(\$56,746)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2030)
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2030)
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2030)
Total Estimated Net Effect on FTE	0	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	Fully Implemented (FY 2030)
Local Government	\$0	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Due to time constraints, **Oversight** was unable to receive some agency responses in a timely manner and performed limited analysis. Oversight has presented this fiscal note on the best current information that we have or on information regarding a similar bill(s). 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.

Sections 115.125, 115.127, 115.277, 115.284, 115.430, 115.453 and 115.635- Modifies provisions relating to elections

Officials from the **Department of Corrections (DOC)** state this bill adds 3 class three election offenses in section 115.635. These offenses are equivalent to misdemeanors. As misdemeanors fall outside the purview of the Department of Corrections, the legislation in this section will have no impact on the department.

The bill also specifies that if a violation of the three more offenses in section 115.635 results in death or bodily injury to an election official or a member of the official's family, the offense shall be a class B felony.

Given the seriousness of class B felony offenses and the introduction of a completely new class B felony offense is a rare event, the department assumes the admission of one person per year to prison following the passage of the legislative proposal.

Offenders committed to prison with a class B felony as their most serious sentence, have an average sentence length of 9.0 years and serve on average, 3.4 years in prison prior to first release. The department assumes one third of the remaining sentence length could be served in prison as a parole return, and the rest of the sentence could be served on supervision in the community.

The cumulative impact on the department is estimated to be 5 additional offenders in prison and 4 additional offenders on field supervision by FY 2034.

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

	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032	FY2033	FY2034	FY2035
New Admissions										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	1	1	1	1	1	1	1	1	1	1
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	1	1	1	1	1	1	1	1	1	1
Probations										
Cumulative Populations										
Prison	1	2	3	4	5	5	5	5	5	5
Parole						1	2	3	4	4
Probation										
Impact										
Prison Population	1	2	3	4	5	5	5	5	5	5
Field Population						1	2	3	4	4
Population Change	1	2	3	4	5	6	7	8	9	9

All other amendments have no impact.

* 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.

If the incarcerated population impact of any one piece of legislation, or combined impact of multiple pieces of legislation, results in a prison population that exceeds the current physical capacity of 26,835, the state would need to construct additional capacity. Based on current construction projects in other Midwest states, the department estimates the cost of constructing a new 1,500-bed maximum security prison at approximately \$825 million to \$900 million.

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.

	# 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	1	(\$10,485)	(\$8,737)	0	\$0	0	(\$8,737)
Year 2	2	(\$10,485)	(\$21,389)	0	\$0	0	(\$21,389)
Year 3	2	(\$10,485)	(\$32,726)	0	\$0	0	(\$32,726)
Year 4	2	(\$10,485)	(\$44,507)	0	\$0	0	(\$44,507)
Year 5	2	(\$10,485)	(\$56,746)	0	\$0	0	(\$56,746)
Year 6	2	(\$10,485)	(\$57,881)	0	\$0	1	(\$57,881)
Year 7	2	(\$10,485)	(\$59,039)	0	\$0	2	(\$59,039)
Year 8	2	(\$10,485)	(\$60,220)	0	\$0	3	(\$60,220)
Year 9	2	(\$10,485)	(\$61,424)	0	\$0	4	(\$61,424)
Year 10	2	(\$10,485)	(\$62,653)	0	\$0	4	(\$62,653)

In response to the previous version, officials from the **Office of Attorney General (AGO)** assumed any potential litigation costs arising from this proposal can be absorbed with existing resources. The AGO may seek additional appropriations if the proposal results in a significant increase in litigation or investigation costs.

Oversight does not have any information to the contrary. Therefore, Oversight assumes the AGO 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 AGO for fiscal note purposes.

In response to the previous version, officials from the **Office of the State Courts Administrator** and the **Office of the State Public Defender** 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 the previous version, officials from the **Kansas City Election Board** stated if this legislation passes there could be a cost savings in security that they are required to have during every election.

Oversight will not reflect the savings in the fiscal note because we do not know how many Election Authorities have security.

In response to the previous version, officials from the **Jackson County Election Board** assumed no fiscal impact from this legislation.

House Amendment 2

§§115.105 and 115.107 – Election Challengers

Officials from the **Office of the Secretary of State** assume the provision will have no fiscal impact on their organization.

In response to similar legislation, HCS for HB 638 (2025), officials from the **Kansas City Election Board**, the **Jackson County Election Board**, and the **St. Louis City Board of Elections** each assumed this proposal will have no fiscal impact on their organizations.

Oversight notes that the above mentioned agency has stated the proposal would not have a direct fiscal impact on their organization. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note.

House Amendment 3

§§115.306 – Candidate No-Tax-Due Statements

In response to a similar proposal, HB 1005 (2025), officials from the **Department of Revenue** and the **Missouri Ethics Commission** both assumed the proposal would have no fiscal impact on their respective organizations.

In response to a similar proposal, HB 1005 (2025), officials from the **Jackson County Election Board** and the **Kansas City Election Board** each assumed the proposal would have no fiscal impact on their respective organizations.

In response to a similar proposal, HB 1005 (2025), officials from the **St. Louis City Board of Elections** stated this legislation requires the election authority to make a determination that a candidate is not delinquent in any tax. Election authorities serve a clerical function (*Vowell v Kander*) and thus aren't configured to be arbiters of the merits of a candidate's qualifications. It is unclear what negative impact this legislation could have on their organization or whether they could legally comply with its demands.

Oversight assumes, currently candidates for public office are required to attest on their declaration of candidacy form, filed with their local election authority, a statement saying they are not delinquent in the payment of any state income taxes, personal property taxes, municipal taxes, and real property taxes on their place of residence. This proposal appears to require that candidates for public office in the City of St. Louis must provide proof of the taxes paid or no-tax-due statements for each tax listed in addition to the attestation on the declaration of candidacy form.

Oversight notes that Section 115.306.2 (4) states that this subdivision shall only apply to a city not within a county's offices that perform county functions (City of St. Louis). Oversight

assumes that any costs arising as a result of this proposal can be absorbed by City of St. Louis with current resources; therefore, Oversight will reflect a zero impact on the fiscal note.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other local political subdivisions were requested to respond to this proposed legislation but did not. A listing of political subdivisions included in the MOLIS database is available upon request.

Responses regarding the proposed legislation as a whole

Officials from the **Platte County Board of Elections** and the **St. Louis County Board of Elections** each assume the proposal will have no fiscal impact on their organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Rule Promulgation

Officials from the **Office of the Secretary of State (SOS)** note 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.

<u>FISCAL IMPACT</u> – State Government	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2030)
GENERAL REVENUE				
Cost – DOC (\$115.635) Increased Incarceration Costs	<u>(\$8,737)</u>	<u>(\$21,389)</u>	<u>(\$32,276)</u>	<u>(\$56,746)</u>
ESTIMATED TOTAL NET EFFECT TO GENERAL REVENUE	<u>(\$8,737)</u>	<u>(\$21,389)</u>	<u>(\$32,276)</u>	<u>(\$56,746)</u>

<u>FISCAL IMPACT</u> – Local Government	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2030)
	<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

This proposal modifies provisions relating to elections.

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 Corrections
Office of the Secretary of State
Office of the State Courts Administrator
Office of the State Public Defender
Jackson County Election Board
Platte County Board of Elections
Kansas City Election Board
St. Louis County Board of Elections



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