COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1623S.12A
Bill No.: SS No.2 for SCS for HCS No.2 for HB 495 with SA1
Subject: Children and Minors; Cities, Towns, and Villages; Crimes and Punishment; Criminal Procedure; Drugs and Controlled Substances; Education, Elementary and Secondary; Immigration; Law Enforcement Officers and Agencies; Motor Vehicles; Public Safety, Department Of; Saint Louis City
Type: #Updated
Date: March 10, 2025
#Updated based on information from the Department of Corrections

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Bill Summary: This proposal modifies provisions relating to public safety.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2034)
#General Revenue*	Unknown to (Unknown, could exceed $1,463,352)	Unknown to (Unknown, could exceed $1,470,776)	Unknown to (Unknown, could exceed $1,565,879)	Unknown to (Unknown, could exceed $1,706,840)
#Total Estimated Net Effect on General Revenue	**Unknown to (Unknown, could exceed $1,463,352)**	**Unknown to (Unknown, could exceed $1,470,776)**	**Unknown to (Unknown, could exceed $1,565,879)**	**Unknown to (Unknown, could exceed $1,706,840)**

***Oversight** notes the impact of this proposal includes implementation cost to DOR for updates to the Driver's License Bureau, DOC incarceration costs and changes to liability claims eligible for payment under §105.711 paid by such boards on an equal share basis per claim, as well as the State taking ownership of contractual obligations of the SLPD (including liability). Oversight anticipates the positive unknown could exceed the $250,000 threshold. Includes additional liability claims from raising the cap in §105.726.3 from $1 million to $2 million. Without additional information, Oversight cannot estimate the net impact to General Revenue.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2034)
Highway Fund (0644)**	$0 to Unknown	$0 to Unknown	$0 to Unknown	$0 to Unknown
Legal Expense Fund (0692)*	$0	$0	$0	$0
#Inmate Incarceration Reimbursement Act Revolving Fund (0828)	($920,305)	($920,305)	($920,305)	($920,305)
#Total Estimated Net Effect on Other State Funds	**Less than ($920,305)**	**Less than ($920,305)**	**Less than ($920,305)**	**Less than ($920,305)**

*Transfers and distributions net to zero.
**Oversight does not anticipate the reinstatement fees to exceed $250,000.
Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2034)
Total Estimated Net Effect on All 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 2034)
General Revenue	Could exceed 2 FTE	Could exceed 2 FTE	Could exceed 2 FTE	Could exceed 2 FTE
Total Estimated Net Effect on FTE	**Could exceed 2 FTE**	**Could exceed 2 FTE**	**Could exceed 2 FTE**	**Could exceed 2 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	Fully Implemented (FY 2034)
Local Government	**Unknown to (Unknown)**	**Unknown to (Unknown)**	**Unknown to (Unknown)**	**Unknown to (Unknown)**

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.

§43.503, 56.365 and 56.750 – Prosecuting and Circuit Attorneys

Officials from the **Missouri Office of Prosecution Services (MOPS)** state sections 43.503, 56.265 & 56.750 were drafted by MOPS and have been accurately put in the bill. There is no measurable fiscal impact to MOPS since there is a statewide case management system and staff capable of producing the annual required report.

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

In response to similar legislation from 2024, HCS for HB 1763, officials from the **Office of the Governor** stated this bill adds to the Governor's current load of appointment duties. Individually, additional requirements should not fiscally impact the Office of the Governor. However, the cumulative impact of additional appointment duties across all enacted legislation may require additional resources for the Office of the Governor.

In response to similar legislation from 2024, HCS for HB 1763, officials from the **Department of Public Safety – Office of the Director**, the **Missouri Highway Patrol** and the **St. Louis County Police Department** each assumed the provision would not create a fiscal impact to their respective departments.

Oversight notes that the above mentioned agencies have 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.

Oversight received a limited number of responses from county prosecutors, sheriffs and police departments related to the fiscal impact of this proposal. Oversight has presented this fiscal note on the best current information available. Upon the receipt of additional 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.

§43.505 – Reporting of Immigration Status of Criminal Offenders

Officials from the **Missouri Highway Patrol (MHP)** state the proposed changes to Section 43.505.3(2) would require modifications to the Crime Insight website that accepts and stores Missouri Incident Based Reporting System (MIBRS) information, in addition to updates to the MIBRS technical specifications for the system to accept the new data elements outlined in this proposal. To implement this type of data collection immediately, a manual entry option will need to be established. The Patrol MIBRS system is a vendor supported system and the estimated one time cost for these modifications is between $30,000-$40,000. The vendor cost is an estimate and may be adjusted based on the final scope of the project.

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

Officials from the **Department of Corrections (DOC)** assume Section 43.505 requires every law enforcement agency in the state to submit information pertaining to the immigration status of any criminal offender, indicating whether the offender is a citizen of the United States, is a lawfully present immigrant, or does not possess the information to show that he or she is a citizen of the United States or a lawfully present immigrant. It is assumed law enforcement agency does not include the department as DOC is noted separately in other sections of chapter 43. If it does include DOC, there could be an operational impact with providing this information to the Department of Public Safety. DOC anticipates this will be no impact, as they have approximately 487 foreign born offenders.

§44.087- Law Enforcement Assistance from Another Jurisdiction

In response to similar legislation from 2024, Perfected HB 1707, officials from the **Department of Revenue** 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 2023, Perfected HCS for HB 1015, officials from the **St. Joseph Police Department** 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.

§57.010 – Peace Officer License

Oversight does not anticipate a fiscal impact from this provision.

§82.1000 – Forfeiture of Motor Vehicles in Springfield

In response to similar language from this year, SCS for SB Nos. 52 &44, officials from the **Office of Administration - Budget and Planning (B&P)** stated this section allows certain

localities to enact ordinances allowing civil forfeiture for stunt driving. Article IX, Section 7 of the Missouri Constitution requires that penalties, forfeitures, and fines collected for violations of state law be distributed to the schools. To the extent any additional such revenues are deposited into the state treasury, TSR may increase.

Oversight does not have information to the contrary. Oversight assumes if the local political subdivision (LPS) adopts the new language into their ordinance, additional revenues may increase fine revenue for school districts. Therefore, Oversight will reflect the a $0 (LPS don't enact new language into their ordinance) or unknown revenue for school districts as provided by the B&P.

<u>§§84.012, 84.020, 84.030, 84.100, 84.150, 84.160 as amended, 84.170, 84.225, 84.325 & 105.726 – Board of Police Commissioners (St. Louis City Police Department)</u>

Officials from the **Office of Administration (OA)** assume §84.325 makes provisions for a board of police commissioners assuming control of a municipal police force. This bill contains language about the state taking responsibility and ownership of contractual and other lawful obligations of the municipal police department. This could have some fiscal impact for the State, but would be subject to judicial construction, so the impact is unknown.

OA also assumes §105.726.3 adds the provision that reimbursement from the Legal Expense Fund (LEF) is on an equal share basis per claim up to a maximum of one million dollars per fiscal year. This change has the potential to avoid costs to the LEF. The maximum amount to be reimbursed remains unchanged with this legislation. The number of successful claims is unknown; therefore, the potential cost avoidance is also unknown.

Oversight notes in §105.726.3 raises the legal liability coverage provided by the State from $1 million to <u>$2 million per fiscal year</u> for this version of the proposal.

Oversight has requested additional information from the OA regarding the legal liability coverage of going from $1 million to $2 million as noted above. Upon the receipt of this information, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval to publish a new fiscal note if needed.

Oversight also assumes, if the state takes responsibility and ownership of contractual and other lawful obligations of the municipal police department, there could be an impact to the state. Oversight will reflect a potential unknown cost starting in FY 2027 assuming control is taken some time in FY 2026.

Officials from the **City of St. Louis** assume the proposed legislation would seek to reverse the assumption of local control of the City Police department that became effective on September 1, 2013. Aside from various operational considerations, the proposed legislation contains several provisions that would increase the cost of operations of the department and thus have a negative fiscal impact on the City and its ability to fund the department.

The legislation is unclear as to a proposed increase in staffing levels of the department. Chapter 84, RSMo, and local ordinance establish parameters relative to the size of the police force in the City. In particular, how many patrolmen and lieutenant colonels can be hired. Under this proposal, the newly created Board would operate with no such parameters. In other words, the Board would be authorized to budget and hire as many police officers/patrolmen as they see fit. In the FY25 budget, the number of authorized uniformed positions (excluding trainees and grant funded positions) totaled 1,192. Any increase in uniformed positions beyond this figure would lead to an increase in costs placed upon the City. Given that no such parameters, or limits, exist in this legislation, the estimated increase is unknown.

In the latest version of SS HCS HB 495 (version 12), the legislation would require the City to appropriate a minimum sum starting at 22% and increasing to 25% of the City's general revenue to fund the police force governed by the Board of Police Commissioners with "pension and retirement costs" to be excluded from this calculation. Historically, while pension costs have always been appropriated to a separate police retirement board and therefore would not fall under the purview of a Board of Police Commissioners, health insurance costs for both active and retired employees have always been a part of the operating budget of the Department. This new language would seem to be excluding the retiree portion of health insurance payments from this calculation. What's more, there are other "retirement" related costs such as FICA and contributions to the civilian employee retirement system which are also part of the Police operating budget and could also be excluded under this proposed language.

In attempting to estimate what the potential impact of the proposal would be, it is necessary to establish what the current base budget of the department might be considering all the exclusions discussed above. This base calculation which excludes the additional "retirement" costs is illustrated below.

The City's total FY25 General Revenue appropriation for the police Department including City Marshals and Park Rangers is:	$131,901,775
Less portion of operating budget for retiree health (and life) insurance	($14,176,904)
Less portion of operating budget for FICA	($2,452,101)
Less portion of operating budget for civilian pension contribution	($3,517,624)
Net total operating budget	$111,755,146

	2% General Rev Est.			% of General Revenue		2% SLMPD Budget			Difference
Fiscal Year 2025	$580,799,177	(Current)				$111,755,146	(Base from above)		n/a
Fiscal Year 2026	$592,415,161		22%	$130,331,335		$113,990,249			$16,341,086
Fiscal Year 2027	$604,263,464		23%	$138,980,597		$116,270,054			$22,710,543
Fiscal Year 2028	$616,348,733		24%	$147,923,696		$118,595,455			$29,328,241
Fiscal Year 2029	$628,675,708		25%	$157,168,927		$120,967,364			$36,201,563
						Total Increase			$104,581,433

The table above uses the FY25 general revenue budget and FY25 net total operating budget of the police department to calculate the increase in costs required of the City of St. Louis. The formula used in the table above assumes a base increase of 2% in both general revenue and Police Department budgets.

Provisions in SS HB 495 require the City to increase its general revenue contribution percentage by 1% each year beginning in FY26 and ending in FY29 when the total contribution percentage will be 25% of general revenue.

Beginning in FY26, the City of St. Louis estimates appropriating an additional $16.3 million to the police department's budget. In the FY29 estimate, when the full 25% requirement of general revenue is realized, the City will be required to appropriate an additional $36.2 million to the police department to satisfy statutory obligations.

In addition, the language found in SS HB 495 requires annual increases in police funding based upon calendar years and not fiscal years. The City's fiscal year starts on July 1 and ends on June 30. For the purpose of this fiscal note, the City is presenting the increase in costs based upon fiscal years and not calendar years.

The proposed legislation is also uncertain as to the impact of the assignment of debt and assets of the department. It proposes to "convey, assign and otherwise transfer to the board title and ownership of all indebtedness and assets ...held in the name of or controlled by the municipal police department." Through the City's Municipal Finance Corporation the City has existing debt in the form of Leasehold Revenue and Improvement Bonds for facilities of the Police Department. Assignment of these assets which serve as the security for these bonds may be a violation of the existing indenture agreement.

In addition, the proposed legislation would also remove existing civilian and uniform employees of the Police Department from the City's civil service system. Under the civil service system these employees have certain rights of employment which would be no longer guaranteed under

a state controlled board. The costs of any litigation stemming from this abrogation of employment rights cannot be determined.

While the legislation proposes returning control of the Police Department to a state controlled Board of Police Commissioners, the legal liability coverage provided by the State remains limited and in no event would exceed $2 million per year in the aggregate. This is far less than the additional costs to be incurred as a result of other provisions in the bill.

If this proposal is enacted and the State mandates that the City provide funding for a newly constituted police department operated under a state controlled board of police commissioners, it is possible court may find the law falls under the police funding exemption under Missouri Constitution, Article X, Section 21, commonly referred to as the Hancock Amendment. While the Hancock Amendment prevents the state from compelling municipalities to fund new or increased activities or services, in November 2022 voters approved a ballot initiative allowing the Missouri legislature to force municipalities to fund increases in police funding through December 31, 2026.

Article I, Section 21, currently states the following:

1. A new activity or service or an increase in the level of any activity or service beyond that required by existing law shall not be required by the general assembly or any state agency of counties or other political subdivisions, unless a state appropriation is made and disbursed to pay the county or other political subdivision for any increased costs.

2. Notwithstanding the foregoing prohibitions, before December 31, 2026, the general assembly may by law increase minimum funding for a police force established by a state board of police commissioners to ensure such police force has additional resources to serve its communities.

It is possible that a Missouri court in 2023 or beyond would find that this language does compel the City of St. Louis to fund new activities or services pertaining to a newly constituted police department, at least through December 31, 2026. Litigation would determine the outcome of this expense and if the City or the State would need to absorb this cost.

Oversight assumes the additional funding requirement represents what St. Louis City would transfer from their budget to the St. Louis City Metro Police Department (SLPD) to compile with the proposed 25% (by FY 2029) of St. Louis City's GR to fund the police force governed by the board of police commissioners. This section of this proposal changes the percentage of appropriation to be distributed to SLPD to compile with the provisions of this proposal. Oversight assumes there would be a redistribution between St. Louis City and the SLPD from the additional funding that would net to zero. This redistribution could result in a loss to other services within St. Louis City's budget. Therefore, Oversight will reflect a gain of funds to SLPD and a loss of funds to St. Louis City that net to zero for this proposal.

Officials from the **Office of Administration - Budget and Planning (B&P)** assume §84.225 creates a $1,000 penalty for any mayor or city official who attempts to impede or hinder the Board of Commissioners. To the extent any related fines or penalties are deposited in the state treasury, TSR may be impacted.

Section 84.325.2 and .3 l transfers certain assets, contractual obligations, indebtedness, and other lawful obligations from the St. Louis Police Department to the state. This expressly excludes any funds held by the city in the name of, for the benefit of, or for future contribution to any police pension system created under chapter 86. B&P does not have any information on what, if any, assets or obligations might be transferred. The state could risk picking up significant debt obligations.

Oversight notes in §84.325, subdivisions 1 through 3, state on August 28, 2025, the Board of Police Commissioners shall assume control of any municipal police force established in any city not within a county, which, at this time, is only St. Louis City. Upon such assumption, any municipal police force within St. Louis City shall transfer to the Board title and ownership of all debts and assets, and the state shall accept responsibility, ownership, and liability as successor-in-interest for contractual obligations, debts, and other lawful obligations of the municipal police forces established in St. Louis City.

<u>§191.1005 – Property Owned and Used for the Possession or Control of a Controlled Substance</u>

Officials from the **Department of Corrections (DOC)** state if an individual or entity shall knowingly open, lease, rent, own a facility that allowing other people to self-administer pre-obtained controlled substances; He/she could be guilty of violating statue 579.015 as well.

Violation of Statue 579.015 is class D felony for the offense of possession on any controlled substance except thirty-five grams or less of marijuana or any synthetic cannabinoid;
It is a Class A misdemeanor if the possession is more than ten grams but less than thirty-five grams. It is a Class D misdemeanor if the possession is not more than ten grams.

As misdemeanors fall outside the purview of DOC, there is no impact to DOC for the offense resulting in the class A and D misdemeanor. The offense resulting in a class D felony would be considered a new crime. As there is little direct data on which to base an estimate, the department estimates an impact comparable to the creation of a new class D felony.

For each new nonviolent class D felony, the department estimates three people could be sentenced to prison and five to probation. The average sentence for a nonviolent class D felony offense is 5 years, of which 2.8 years could be served in prison with 1.7 years to first release. The remaining 2.2 years could be on parole. Probation sentences could be 3 years.
The cumulative impact on the department is estimated to be 8 additional offenders in prison and 22 additional offenders on field supervision by FY 2030.

Change in prison admissions and probation openings with legislation-Class D Felony (nonviolent)

	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	3	3	3	3	3	3	3	3	3	3
Probation										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	5	5	5	5	5	5	5	5	5	5
Change (After Legislation - Current Law)										
Admissions	3	3	3	3	3	3	3	3	3	3
Probations	5	5	5	5	5	5	5	5	5	5
Cumulative Populations										
Prison	3	6	8	8	8	8	8	8	8	8
Parole			1	4	7	7	7	7	7	7
Probation	5	10	15	15	15	15	15	15	15	15
Impact										
Prison Population	3	6	8	8	8	8	8	8	8	8
Field Population	5	10	16	19	22	22	22	22	22	22
Population Change	**8**	**16**	**24**	**27**	**30**	**30**	**30**	**30**	**30**	**30**

§§217.451 and 221.108 – Telephones in correctional facilities

Officials from the **Department of Corrections (DOC)** assume the proposal will have no fiscal impact on their organization. The DOC states the current phone services contract charges offenders $0.05 per minute. The Federal Communication Commission capped phone call rates at $0.06 per minute effective January 1, 2025, under regulation § 64.6010.

In response to similar legislation from this year, SB 301, officials from the **St. Louis County Police Department** 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.

§§217.825, 217.827, 217.829, 217.831,2 217.833, 217.835, 217.837, 217.839, 217.841

DOC notes the proposed legislation appears to repeal Missouri Incarceration Reimbursement Act. The department is appropriated $750,000 for institutional EE from the Missouri Incarceration Reimbursement Act fund each year. This would have a fiscal impact on the **Department of Corrections.**

#Upon further inquiry, **DOC** stated the Missouri Incarceration Reimbursement Act (MIRA) is the recovery of the cost of incarceration from assets of prisoners that meet the threshold pursuant to Section 217.831. These funds are utilized for the operations of state correctional facilities. Should the MIRA funds go away, the department will require a GR pickup to continue the operational services these funds currently provide.

Officials from the **Office of Attorney General (AGO)** assume 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 notes the AGO is also appropriated money from the Inmate Incarceration Reimbursement Act Revolving Fund. In FY 2025, the AGO received $170,305. For purposes of this fiscal note, Oversight will reflect this amount in addition to the loss provided by the DOC, for an anticipated annual loss of $920,305 ($750,000 + $170,305).

Oversight notes the Inmate Incarceration Reimbursement Act Revolving Fund (0828) had a fund balance of $492,699 on December 31, 2024.

§§221.520 and 221.523 – Protection of Vulnerable Persons

In response to similar legislation from this year, HCS for HB 916, officials from the **City of Kansas City** stated the proposed legislation has a negative fiscal because it may increase the cost of incarceration.

Officials from the **Branson Police Department** state the pre-natal nutrition and care requirements will add costs to the county jails. The department is unsure how much these treatments cost nor how many pregnant offenders will be arrested in the future.

Oversight notes the unknown impact for the City of Kansas City and the Branson Police Department and is unable to project a statewide cost; therefore, the impact to local political subdivisions will be presented as $0 to (Unknown).

§§304.012, 304.145, 556.061, 566.210, 566.211, 568.045, 570.030, 575.133, 575.150 & 576.030 – Various Crimes

Officials from the **Department of Corrections (DOC)** stated the following:

§§304.012 & 304.145 – Stunt Driving

Section 304.145 creates definitions and penalties relating to street racing. Violation of this section is a class B misdemeanor for the first offense, a class A misdemeanor for a second offense, and a class E felony for a third or subsequent offense.

As misdemeanors fall outside the purview of DOC, there is no impact to DOC for the offense resulting in the class A misdemeanor.

For each new nonviolent class E felony, the department estimates one person could be sentenced to prison and two to probation. The average sentence for a nonviolent class E felony offense is 3.4 years, of which 2.1 years could be served in prison with 1.4 years to first release. The remaining 1.3 years could be on parole. Probation sentences could be 3 years.

Change in prison admissions and probation openings with legislation-Class E Felony (nonviolent)

	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	2	2	2	2	2	2	2	2	2	2
Change (After Legislation - Current Law)										
Admissions	1	1	1	1	1	1	1	1	1	1
Probations	2	2	2	2	2	2	2	2	2	2
Cumulative Populations										
Prison	1	2	2	2	2	2	2	2	2	2
Parole			1	1	1	1	1	1	1	1
Probation	2	4	6	6	6	6	6	6	6	6
Impact										
Prison Population	1	2	2	2	2	2	2	2	2	2
Field Population	2	4	7	7	7	7	7	7	7	7
Population Change	**3**	**6**	**9**	**9**	**9**	**9**	**9**	**9**	**9**	**9**

Officials from the **Office of Administration - Budget and Planning** assume these sections create new penalties for certain dangerous maneuvers performed while operating a vehicle. To the extent any related fines or penalties are deposited into the state treasury, total state revenue could increase.

§§556.061 – Bus Hijacking

The bill adds bus hijacking when punished as a class A felony, planting a bomb or explosive in or near a bus or terminal" to the list of sentences defined as dangerous felonies in section 556.061. This introduces the requirement that any new court commitment or probation revocation to prison on a sentence under sections 577.703, 577.706, 578.305 and 578.310 will serve at least 85% of the term of those sentences in prison prior to release when sentenced as described above.

From FY2022 to FY2024, there have been no new court commitments or probation revocations under sections 574.050, 577.703, 577.706 and 578.305. Therefore, no impact from this section of the bill.

§566.210 – Sexual Trafficking of a Child in the First Degree

Officials from **DOC** state the bill changes language in section 566.210 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.

§566.211 – Sexual Trafficking of a Child in the Second Degree

Officials from **DOC** state the bill changes language in section 566.211 to extend minimum prison term from 10 to 25 years for sentences on the offense of sexual trafficking of a child in the second degree, and extend the term of imprisonment prior to parole eligibility from 25 to 30 years when it involves the use of force, abduction, or coercion. There were eight people sentenced under section 566.211 in FY 2024. Given the minimum prison term for these sentences are already set at 10 years, this change would not start to have an impact on the department for 10 years from the effective date. Therefore, given the 10-year time frame for this response, DOC assumes no impact for this reporting period.

Oversight notes OSCA reported the following number of guilty convictions in 2020 – 2024:

	2020	2021	2022	2023	2024
§566.210	0	0	1	0	0
§566.211	1	1	2	3	9

§568.045 – Fentanyl or Carfentanil with Endangering the Welfare of a Child

Officials from **DOC** note the bill adds language in section 568.045 specific to the involvement of fentanyl or carfentanil in an offense of endangering the welfare of a child in the first degree. The penalty for this offense is considered as a new class B felony without the possibility of probation and a minimum prison term requirement of 85% of the length the sentence.

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.

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	6	7	8	8	8
Parole									1	1
Probation										
Impact										
Prison Population	1	2	3	4	5	6	7	8	8	8
Field Population									1	1
Population Change	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**9**

§570.030 - Stealing

Officials from **DOC** state this section expands the criteria of committing the offense of stealing. It adds a new class B felony for a person whom appropriates property is part of organized retail theft, and the value of the property taken, combined with any property damage inflicted in such theft, more than ten thousand dollars.

Given the seriousness of class B felony offenses and that 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.

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**

It also added a new Class C felony for a person whom appropriates property is part of organized retail theft, and the value of the property taken, combined with any property damage inflicted in such theft, is seven hundred fifty dollars or more but less than ten thousand dollars.

For each new class C felony, the department estimates four people could be sentenced to prison and six to probation. The average sentence for a class C felony offense is 6.9 years, of which 3.7 years could be served in prison with 2.1 years to first release. The remaining 3.2 years could be on parole. Probation sentences could be 3 years.

Change in prison admissions and probation openings with legislation-Class C 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	4	4	4	4	4	4	4	4	4	4
Probation										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	6	6	6	6	6	6	6	6	6	6
Change (After Legislation - Current Law)										
Admissions	4	4	4	4	4	4	4	4	4	4
Probations	6	6	6	6	6	6	6	6	6	6
Cumulative Populations										
Prison	4	8	12	15	15	15	15	15	15	15
Parole				1	5	9	13	13	13	13
Probation	6	12	18	18	18	18	18	18	18	18
Impact										
Prison Population	4	8	12	15	15	15	15	15	15	15
Field Population	6	12	18	19	23	27	31	31	31	31
Population Change	**10**	**20**	**30**	**34**	**38**	**42**	**46**	**46**	**46**	**46**

Officials from the **Office of Administration - Budget and Planning** assume §570.030 modifies the offense of stealing. Article IX, Section 7 of the Missouri Constitution requires that penalties, forfeitures, and fines collected for violations of state law be distributed to the schools. To the extent any additional such revenues are deposited into the state treasury, TSR may increase.

In response to a previous version, 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 the changes to Sections 569.170 and 569.175 would take approximately thirty-five 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 one to two attorneys. 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.

<u>§574.050 – Repealed</u>

Officials from the **Office of Administration - Budget and Planning (B&P)** state this bill would remove Section 574.050, which establishes the offense of rioting as a class A misdemeanor. Article IX, Section 7 of the Missouri Constitution requires that penalties, forfeitures, and fines collected for violations of state law be distributed to the schools. To the extent any such revenues would no longer be deposited into the state treasury, TSR may decrease.

Oversight notes the following charges under section 574.050:

FY 2024 – 2
FY 2023 – 1
FY 2022 – 5

Oversight assumes the impact from this provision would be immaterial.

<u>§575.133 – Nonconsensual Common Law Lien</u>

Officials from **DOC** state this section enhances the offense of filing a nonconsensual common law lien to a class A misdemeanor for second offenses. Any third or subsequent offense of filing a nonconsensual common law lien is a class E felony.

As misdemeanors fall outside the purview of DOC, there is no impact to DOC for the offense resulting in the class A misdemeanor. The offense resulting in a class E felony would be considered a new crime. As there is little direct data on which to base an estimate, the department estimates an impact comparable to the creation of a new class E felony.

For each new nonviolent class E felony, the department estimates one person could be sentenced to prison and two to probation. The average sentence for a nonviolent class E felony offense is 3.4 years, of which 2.1 years could be served in prison with 1.4 years to first release. The remaining 1.3 years could be on parole. Probation sentences could be 3 years.

Change in prison admissions and probation openings with legislation-Class E Felony (nonviolent)

	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	2	2	2	2	2	2	2	2	2	2
Change (After Legislation - Current Law)										
Admissions	1	1	1	1	1	1	1	1	1	1
Probations	2	2	2	2	2	2	2	2	2	2
Cumulative Populations										
Prison	1	2	2	2	2	2	2	2	2	2
Parole			1	1	1	1	1	1	1	1
Probation	2	4	6	6	6	6	6	6	6	6
Impact										
Prison Population	1	2	2	2	2	2	2	2	2	2
Field Population	2	4	7	7	7	7	7	7	7	7
Population Change	**3**	**6**	**9**	**9**	**9**	**9**	**9**	**9**	**9**	**9**

Officials from **BAP** assume §575.133 enhances the penalties for filing a nonconsensual common law lien for repeat offenders. Article IX, Section 7 of the Missouri Constitution requires that penalties, forfeitures, and fines collected for violations of state law be distributed to the schools. To the extent any additional such revenues are deposited into the state treasury, TSR may increase.

§575.150 – Impounding Vehicles upon resisting arrest or fleeing a stop

Officials from **BAP** assume §575.150 requires vehicles to be impounded if they were used to resist arrest or to flee a stop. Article IX, Section 7 of the Missouri Constitution requires that penalties, forfeitures, and fines collected for violations of state law be distributed to the schools. To the extent any additional such revenues are deposited into the state treasury, TSR may increase.

§576.030 – Obstructing Government Operations

As misdemeanors fall outside the purview of DOC, there is no impact to DOC for the offense resulting in the class A misdemeanor.

Officials from **BAP** assume §576.030 enhances the penalties for obstructing government operations. Article IX, Section 7 of the Missouri Constitution requires that penalties, forfeitures, and fines collected for violations of state law be distributed to the schools. To the extent any additional such revenues are deposited into the state treasury, TSR may increase.

§577.150 – Tampering with a Water Supply

DOC states this section enhances the offense of tampering with a water supply to a class E felony. Given there have been no convictions under either subdivision (1) or (2) in this section from FY2022 to FY2024, DOC estimates **no impact** from this section.

Officials from the **Department of Revenue (DOR)** assume the following:

Administrative Impact
DOR anticipates convictions received under these new violations would be considered moving violations and assess points. The proposed language does not define points to be applied to the driver record, so DOR anticipates assessing based on prior standards, which is two points for any misdemeanor conviction, and twelve points for any felony conviction.

To implement the proposed legislation, DOR will be required to:

- Complete programming and user acceptance testing of FUSION to develop new conviction codes and map the new codes to charge codes and AAMVA ACD codes;
- Work with the Office of State Court Administrators (OSCA) to develop new charge codes to correspond with the new violations;
- Update FUSION point suspension and revocation evaluation routines;
- Test programs for inbound and outbound conviction processing and driver history eligibility evaluations;
- Update interactive applications for automated responses to customers through telephone system (current vendor Genesys) or online (DORA);
- Update the Department website;
- Update forms, letters and procedures; and
- Update the Missouri Driver Guide.

FY 2026 – Driver License Bureau
Research/Data Analyst 400 hrs. x $28.75 per hr. = $11,500
Research/Data Assistant 400 hrs. x $19.29 per hr. = $ 7,716
Administrative Manager 200 hrs. x $31.21 per hr. = $ 6,242
Total = $25,458

FY2026- Strategy and Communications Office
Associate Research/Data Analyst 80 hrs. x $23.04 per hr. = $1,843
Research/Data Assistant 40 hrs. x $19.29 per hr. = $ 772
Total = $2,615

FY 2026 – System Impact
FUSION programming 400 hrs. x $225.00 per hr. = $90,000

Total: $118,073

Revenue Impact
The proposed legislation may result in an unknown increase of reinstatement fees associated with the point accumulation actions added to records. DOR is unable to estimate the amount of potential revenue increase. Reinstatement Fees collected are distributed 75% Highway Fund, 15% Cities, and 10% Counties.

Oversight does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by DOR. **Oversight** assumes the additional hours needed in DOR's response is for existing staff.

In response to a previous version, officials from the **Office of the State Public Defender (SPD)** stated according to the National Public Defense Workload Study, each of the new charges contemplated by the changes to Sections 191.1005, 304.012, 304.145, 568.045, 570.020, 575.133, 575.150, and 577.150 could take up to take approximately ninety-nine 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 four to five attorneys. 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.

Oversight will show an unknown cost for the SPD for additional FTE to handle the increased caseload.

§455.095 – Repeals Sunset Regarding Electronic Monitoring

In response to similar legislation from this year, SB 603, officials from the **Department of Corrections** and the **Missouri Highway Patrol** each assumed the provision 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.

§§491.065 & 595.209 – Information Regarding Informants

Officials from the **Missouri Office of Prosecution Services** assume the proposal would 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.

§513.605 – Criminal Activity Forfeiture Act

Oversight assumes this section is codifying section 577.690 in statute. Oversight assumes no fiscal impact from this proposal.

§590.040 – Peace Officer Training

Oversight assumes this section adds additional language to include training concerning the prohibition against racial profiling through the POST commission. Oversight assumes the Department of Public Safety (DPS) is provided with core funding to handle a certain amount of activity each year. Oversight assumes DPS could absorb the costs related to this proposal. If multiple bills pass which require additional staffing and duties at substantial costs, DPS could request funding through the appropriation process.

§590.208 – Committee on School Safety

Officials from the **Department of Public Safety - Office of the Director (DPS/DO)** state 1 FTE is needed to provide support to the committee for §590.208.

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

§595.325 – Missing and Murdered African American Women and Girls Task Force

Officials from the **Department of Public Safety (DPS) – Director's Office (DO)** state one FTE (Program Specialist, $68,712 annually) is needed to provide support to the task force.

DPS estimates a total fiscal impact to the General Revenue Fund of $96,796 for FY 2026; $113,572 for FY 2027; and $115,544 for FY 2028.

Oversight does not have any information to the contrary and will present costs as provided by DPS. For fiscal note purposes, Oversight assumes the task force will be extended until December 31, 2029.

Officials from the **Missouri Senate (SEN)** state the SEN anticipates a negative fiscal impact to reimburse 2 Senators for travel to Missing and Murdered African American Women and Girls Task Force meetings. It is assumed meetings will be held in Jefferson City during the interim. It is further assumed it will cost approximately $334.05 per meeting.

The SEN assumes no fiscal responsibility for the other committee members.

Oversight does not have any information to the contrary. However, 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.

In response to similar legislation from this year, SB 40, officials from the **DPS - Missouri Highway Patrol** 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.

§650.058 – Restitution for individuals found actually innocent

Officials from **DOC** state this legislation allows individuals who have been found guilty of a felony and later determined to be innocent of the crime, through a method other than DNA profiling analysis to receive restitution. It also increases the amount of restitution from $100 per day to $179 per day.

The fiscal impact to the department is an **unknown cost**, as there is no way to determine how many offenders will be found innocent of their crime and will further petition for restitution.

Oversight notes the following expenditures for restitution payments:

	Actual Expenditures - Restitution Payments
FY 2020	$56,900
FY 2021	$36,500
FY 2022	$71,905
FY 2023	$73,000
FY 2024	$62,600
Average	**$60,181**

Source: Department of Corrections FY 2026 Appropriations Book

Oversight notes this section is raising the amount that an individual can receive under this section from $100 per day to $179 per day and also capping the restitution award per fiscal year from $36,500 to $65,000. Oversight assumes the changes in this statute would also increase the cost to DOC. Oversight assumes 601.81 days ($60,181/100 = 601.81 days) were used to pay out the restitution payments under current law. If the rate increases to $179 per day, then the new amount would be $107,724 (601.81 * $179). Taking the difference would result in $47,543 in additional restitution payments paid out. Therefore, Oversight will reflect a cost that could exceed $47,543 annually or unknown.

§1 – Severability

Oversight assumes no fiscal impact from this section of the proposal.

Responses regarding the proposed legislation as a whole

Combined Cumulative Estimated Impact to DOC

The combined cumulative estimated impact on the department is 40 additional offenders in prison and 72 additional offenders on field supervision by FY 2034.

Change in prison admissions and probation openings with legislation

	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	11	11	11	11	11	11	11	11	11	11
Probation										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	15	15	15	15	15	15	15	15	15	15
Change (After Legislation - Current Law)										
Admissions	11	11	11	11	11	11	11	11	11	11
Probations	15	15	15	15	15	15	15	15	15	15
Cumulative Populations										
Prison	11	22	30	35	37	38	39	40	40	40
Parole	0	0	3	7	14	19	24	25	27	27
Probation	15	30	45	45	45	45	45	45	45	45
Impact										
Prison Population	11	22	30	35	37	38	39	40	40	40
Field Population	15	30	48	52	59	64	69	70	72	72
Population Change	26	52	78	87	96	102	108	110	112	112

	# to/from Prison	Cost per year	Total Cost of Prison (includes 2% inflation per year starting in year 2)		Change in number of Probation and Parole Officers	Probation and Parole Officer II Cost per year (includes PS, fringe, E&E and inflation)	Grand Total Prison and Probation	# of Offenders to/from Probation & Parole
Year 1 (10 months)	11	($10,485)	($96,112)		0	$0	($96,112)	15
Year 2 (includes 2% inflation)	22	($10,485)	($235,283)		0	$0	($235,283)	30
Year 3 (includes 2% inflation)	30	($10,485)	($327,258)		0	$0	($327,258)	48
Year 4 (includes 2% inflation)	35	($10,485)	($389,436)		1	($96,281)	($485,717)	52
Year 5 (includes 2% inflation)	37	($10,485)	($419,924)		1	($88,533)	($508,457)	59
Year 6 (includes 2% inflation)	38	($10,485)	($439,898)		1	($89,477)	($529,376)	64
Year 7 (includes 2% inflation)	39	($10,485)	($460,504)		1	($90,430)	($550,935)	69
Year 8 (includes 2% inflation)	40	($10,485)	($481,758)		1	($91,395)	($573,153)	70
Year 9 (includes 2% inflation)	40	($10,485)	($491,393)		1	($92,370)	($583,764)	72
Year 10 (includes 2% inflation)	40	($10,485)	($501,221)		1	($93,357)	($594,578)	72

* 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.

Officials from the **Office of the State Courts Administrator (OSCA)** state there may be some impact on the OSCA, but there is no way to quantify that amount at the present time. 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 **Phelps County Sheriff's Office**, the **Kansas City Police Department** and the **Missouri House of Representatives** 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 Elementary and Secondary Education**, the **Department of Natural Resources**, the **Department of Public Safety (Fire Safety, Missouri Veterans Commission, State Emergency Management Agency)**, the **Office**

of the State Treasurer, the **University of Missouri System**, **Legislative Research**, the **Oversight Division**, the **Missouri Lottery Commission, Office of Administration - Administrative Hearing Commission**, **Department of Commerce and Insurance, the Department of Health and Senior Services, the Department of Mental Health,** the **Department of Labor and Industrial Relations**, the **Department of Public Safety (Gaming Commission)**, the **Missouri Ethics Commission**, the **Missouri Department of Transportation**, the **Office of the State Auditor**, the **Joint Committee on Administrative Rules**, the **Joint Committee on Education**, **Missouri Department of Conservation**, **Missouri Department of Agriculture**, the **Joint Committee on Public Employee Retirement,** the **Missouri Consolidated Health Care Plan**, the **Office of the Lieutenant Governor,** the **Missouri State Employee's Retirement System, Department of Economic Development**, the **Department of Public Safety (Division of Alcohol and Tobacco Control, Capitol Police),** the **Missouri National Guard**, the **MoDOT & Patrol Employees' Retirement System**, the **Petroleum Storage Tank Insurance Fund**, **Kansas City, O'Fallon,** the **Branson Police Department** and the **State Tax 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.

Officials from the **Department of Social Services (DSS)** state any creation of a crime or modification of offense provisions in this legislation would potentially increase the number of youth committed to the Division of Youth Services. It is difficult to predict whether that number will be minimal or substantial and what fiscal impact may occur. Juvenile Office and judicial discretion would play into each individual youth's case, making the impact more difficult to calculate. The fiscal impact is unknown but potential significant.

Oversight assumes the Department of Social Services could absorb any increase with current staff and funding levels. However, if additional duties require increased staffing, the DSS may request additional funding through the appropriations process.

In response to a previous version, officials from the **Office of the Governor** stated this bill adds to the Governor's current load of appointment duties. Individually, additional requirements should not fiscally impact the Office of the Governor. However, the cumulative impact of additional appointment duties across all enacted legislation may require additional resources for the Office of the Governor.

Officials from the **Office of Attorney General (AGO)** assume any potential litigation costs arising from this proposal can be absorbed with existing resources. However, the AGO may seek additional appropriations if the proposal results in a significant increase in litigation or investigation.

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 a previous version, 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.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other cities, counties, local law enforcement agencies, nursing homes, hospitals, the St. Louis Police Retirement System and school districts 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.

FISCAL IMPACT – State Government	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2034)
GENERAL REVENUE				
Costs – MHP – modifications to website and updates to system §43.505 p. 5	Less than ($40,000)	$0	$0	$0
Costs – SPD – additional FTE(s) for increased caseload (various sections) p. 20	(Unknown)	(Unknown)	(Unknown)	(Unknown)
FTE Change	Unknown	Unknown	Unknown	Unknown
Costs – DOC (various sections) – increase in incarcerations p. 24	($96,112)	($235,283)	($327,258)	More or Less than ($491,393)
Costs– DOC (various sections) p. 24				
Personnel Service	$0	$0	$0	($50,715)
Fringe Benefits	$0	$0	$0	($37,427)
Expense & Equipment	$0	$0	$0	($4,228)
Total Costs - DOC	$0	$0	$0	($92,370)
FTE Change	0 FTE	0 FTE	0 FTE	1 FTE

FISCAL IMPACT – State Government	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2034)
Costs – DOR §§304.012 & 304.145 – various updates pg. 19				
Driver License Bureau Personnel Service	($25,458)	$0	$0	$0
Strategy & Communications Office Personnel Service	($2,615)	$0	$0	$0
FUSION programming	($90,000)	$0	$0	$0
Total Costs - DOR	($118,073)	$0	$0	$0
Costs – DPS/DO §590.208 p. 21				Could Exceed
Personal service	($33,938)	($41,540)	($42,371)	($42,371)
Fringe Benefits	($27,113)	($32,838)	($33,163)	($33,163)
Equipment and expense	($3,777)	$0	$0	$0
Total Costs – DPS/DO	($64,828)	($74,378)	($75,534)	($75,534)
FTE Change	1 FTE	1 FTE	1 FTE	1 FTE
Costs – DPS §595.325 p. 21 (FTE til Dec. 31, 2029)				
Personal service	($57,260)	($70,086)	($71,488)	$0
Fringe Benefits	($35,759)	($43,486)	($44,056)	$0
Equipment and expense	($3,777)	$0	$0	$0
Total Costs – DPS	($96,796)	($113,572)	($115,544)	$0
FTE Change - DPS	1 FTE	1 FTE	1 FTE	0 FTE
Costs – OSCA – potential additional duties or increased caseload p. 25	$0 to (Unknown)	$0 to (Unknown)	$0 to (Unknown)	$0 to (Unknown)
Cost – DOC §650.058 – Restitution to individuals wrongfully convicted p. 22	(Unknown, could exceed $47,543)	(Unknown, could exceed $47,543)	(Unknown, could exceed $47,543)	(Unknown, could exceed $47,543)
Cost Avoidance – OA (§105.726) Reduction in the amount of claims paid (equal share basis compared to current law) pg. 6	$0 to Unknown	$0 to Unknown	$0 to Unknown	$0 to Unknown

FISCAL IMPACT – State Government	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2034)
Costs – (§105.726.3) – potential additional claims with cap raised from $1 million to $2 million	$0 to ($1,000,000)	$0 to ($1,000,000)	$0 to ($1,000,000)	$0 to ($1,000,000)
Costs – OA (§84.325) taking ownership of contractual obligations of the SLPD (including liability) pg. 6	$0 to (Unknown)	$0 to (Unknown)	$0 to (Unknown)	$0 to (Unknown)
#ESTIMATED NET EFFECT ON GENERAL REVENUE	**Unknown to (Unknown, could exceed $1,463,352)**	**Unknown to (Unknown, could exceed $1,470,776)**	**Unknown to (Unknown, could exceed $1,565,879)**	**Unknown to (Unknown, could exceed $1,706,840)**
Estimated Net FTE Change on General Revenue	Could exceed 2 FTE	Could exceed 2 FTE	Could exceed 2 FTE	Could exceed 2 FTE
HIGHWAY FUND (0644)				
Revenue – DOR – increase in reinstatement fees associated with point accumulation actions added to records at 75% §§304.012 & 304.145 pg. 20	$0 to Unknown	$0 to Unknown	$0 to Unknown	$0 to Unknown
ESTIMATED NET EFFECT ON HIGHWAY FUNDS (0644)	**$0 to Unknown**	**$0 to Unknown**	**$0 to Unknown**	**$0 to Unknown**
LEGAL EXPENSE FUND (0692)				
Costs - (§84.325) taking ownership of contractual	$0 to (Unknown)	$0 to (Unknown)	$0 to (Unknown)	$0 to (Unknown)

FISCAL IMPACT – State Government	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2034)
obligations of the SLPD (including liability) p. 6				
Transfer In – (§84.325) from General Revenue - taking ownership of contractual obligations of the SLPD (including liability) p. 6	$0 to Unknown	$0 to Unknown	$0 to Unknown	$0 to Unknown
Cost Avoidance – OA (§105.726) Reduction in the amount of claims paid (equal share basis compared to current law) pg. 6	$0 to Unknown	$0 to Unknown	$0 to Unknown	$0 to Unknown
Loss - (§105.726) Reduction in the amount of funds received by General Revenue due to reduced claims costs pg. 6	$0 to (Unknown)	$0 to (Unknown)	$0 to (Unknown)	$0 to (Unknown)
ESTIMATED NET EFFECT ON THE LEGAL EXPENSE FUND	**$0**	**$0**	**$0**	**$0**
INMATE INCARCERATION REIMBURSEMENT ACT REVOLVING FUND (0828)				
#Loss – DOC (§§217.825 to 217.841) Loss of funding	($750,000)	($750,000)	($750,000)	($750,000)
#Loss – AGO (§§217.825 to 217.841) Loss of funding	($170,305)	($170,305)	($170,305)	($170,305)
#ESTIMATED NET EFFECT ON THE INMATE INCARCERATION REIMBURSEMENT ACT REVOLVING FUND	**($920,305)**	**($920,305)**	**($920,305)**	**($920,305)**

FISCAL IMPACT – Local Government	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2034)
LOCAL POLITICAL SUBDIVISIONS				
Revenue – B&P – increase in fine revenue to school districts §82.1000 p. 6	$0 or Unknown	$0 or Unknown	$0 or Unknown	$0 or Unknown
Revenue - DOR - increase in reinstatement fees associated with point accumulation actions added to records at 25% (15% Cities/10% Counties) §§304.012 & 304.145 pg. 20	$0 to Unknown	$0 to Unknown	$0 to Unknown	$0 to Unknown
Cost Avoidance – (§84.325) St. Louis City - from the State taking ownership of contractual obligations of the SLPD (including liability) pg. 6	$0 to Unknown	$0 to Unknown	$0 to Unknown	$0 to Unknown
Gain – SLPD – additional funding 22% to 25% of City's GR to police force governed by Board of Police §84.160 p. 8	More or Less than $16,341,086	More or Less than $22,710,543	More or Less than $29,328,241	More or Less than $36,201,563
Loss – St. Louis City – (§84.160) additional funding needed to fund 22% to 25% of the SLPD p. 8	(More or Less than $16,341,086)	(More or Less than $22,710,543)	(More or Less than $29,328,241)	(More or Less than $36,201,563)
Cost – (§105.726) St. Louis City – cost increase due to the reduction in the amount of claims paid by the State LEF (equal share basis compared to current law) pg. 9	$0 to (Unknown)	$0 to (Unknown)	$0 to (Unknown)	$0 to (Unknown)

FISCAL IMPACT – Local Government	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2034)
Cost – (§§221.520 and 221.523) Potential increase in incarceration costs p. 12	$0 to (Unknown)	$0 to (Unknown)	$0 to (Unknown)	$0 to (Unknown)
ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	**Unknown to (Unknown)**	**Unknown to (Unknown)**	**Unknown to (Unknown)**	**Unknown to (Unknown)**

FISCAL IMPACT – Small Business

Small ignition interlock manufacturers and installers could be impacted as a result of this proposal due to the potential increase in ignition interlocks required for §§302.304, 302.440, 302.525 & 302.574.

FISCAL DESCRIPTION

This proposal modifies provisions relating to public safety.

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

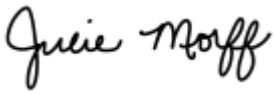
SOURCES OF INFORMATION

St. Louis City
Office of Administration
- Administrative Hearing Commission
- Office of the Commissioner
- Budget and Planning

Department of Corrections
Office of the State Public Defender
Attorney General's Office
Department of Natural Resources
Department of Labor and Industrial Relations
Department of Public Safety
- Office of the Director
- Division of Alcohol and Tobacco Control
- Capitol Police
- Fire Safety
- Missouri Gaming Commission
- Missouri Highway Patrol
- Missouri Veterans Commission

State Emergency Management Agency
Department of Commerce and Insurance
Department of Economic Development
Department of Elementary and Secondary Education
Department of Health and Senior Services
Department of Mental Health
Joint Committee on Administrative Rules
Department of Social Services
Office of the Governor
Missouri Department of Agriculture
Missouri Department of Conservation
Missouri Ethics Commission
MoDOT & Patrol Employees' Retirement System
Missouri Department of Transportation
Missouri National Guard
Petroleum Storage Tank Insurance Fund
University of Missouri System
Kansas City
O'Fallon
Phelps County Sheriff's Office
Branson Police Department
Kansas City Police Department
Office of the State Auditor
Missouri House of Representatives
Joint Committee on Education
Joint Committee on Public Employee Retirement
Legislative Research
Oversight Division
Missouri Senate
Missouri Lottery Commission
Missouri Consolidated Health Care Plan
Missouri State Employee's Retirement System
State Tax Commission
Office of the Secretary of State
Office of the State Courts Administrator
Department of Revenue
St. Louis County Police Department

St. Joseph Police Department
Office of the State Treasurer
Office of the Lieutenant Governor



Julie Morff
Director
March 10, 2025

Jessica Harris
Assistant Director
March 10, 2025