

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2170H.01I
 Bill No.: HB 916
 Subject: Department of Corrections; Prisons and Jails; Public Assistance
 Type: Original
 Date: February 10, 2025

Bill Summary: This proposal establishes certain protections for pregnant offenders.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
General Revenue	(\$63,888)	\$0	\$0
Total Estimated Net Effect on General Revenue	(\$63,888)	\$0	\$0

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

Numbers within parentheses: () indicate costs or losses.

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

*Income and expenses are estimated at \$64,000 in FY 2026 and net to \$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

§§208.247, 221.520, 221.523, 491.075, and 492.304 – Protection of vulnerable persons

Officials from the **Department of Social Services (DSS)** submitted the following information from the **Office of Administration (OA), Information Technology Services Division (ITSD)/DSS**:

The Missouri Eligibility Determination and Enrollment System (MEDES) currently provides eligibility determinations and case management functions for family MO HealthNet programs and the Children's Health Insurance Program (CHIP) administered by the DSS Family Support Division using the Modified Adjusted Gross Income (MAGI) criteria established under the Patient Protection and Affordable Care Act of 2010 (ACA). The implementation project for the Supplemental Nutrition Assistance Program (SNAP) is in multiple phases ranging from design for some interfaces, development and systems integration testing for other components, through user acceptance testing for the core application. The pilot phase is anticipated to begin around August 2025, with full production implementation to occur around February 2026.

Functions of the SNAP application are in various phases of the system development ranging from design to systems integration testing (SIT). A change order and Project Assessment Quotation (PAQ) will be needed since the SNAP project is currently beyond the design phase and application development and systems integration testing is in progress.

It is likely that the changes required to remove sanction functions associated with drug-related felony convictions as currently specified in § 208.247.1 will delay both the pilot and full production implementations by two to three months to allow time for DDI (design, development and implementation) and testing of the system with the new changes.

Assuming the effective date for this bill is August 28, 2025, the system will have to be modified after the overall SNAP application is in user acceptance testing (UAT) so there will be an extensive testing effort required prior to implementation. A PAQ will have to be executed with the following changes:

- Program rules in MEDES will have to be reconfigured to no longer sanction/disqualify individuals with a drug offense felony conviction.
- Removal of questions regarding drug-related felony conviction from the Citizen Engagement Portal and the Worker Portal.
- Evidence types associated with drug-related felony convictions will need to be deactivated in/or removed from the current programming.

- Modifications to workflow and tasking to no longer generate tasks and remove task dependencies associated with the drug-related felony conviction category.
- Modifications to no longer generate notices and language associated with the drug-related felony conviction sanction type.
- Design, develop and execute a bulk reassessment process to recalculate SNAP allotments on cases that have a sanctioned individual and add or restore benefits based on the new rules effective with the date the sanction type is terminated.

Modifications for the SNAP application are being implemented in MEDES by eSystems. Hourly IT costs under this contract vary by position title and work type. It is estimated to take 968 hours for a total cost of \$127,776 (\$63,888 GR; \$63,888 Federal) in FY 26 exclusively.

Oversight does not have any information to the contrary. Oversight notes the proposed legislation repeals felony related application processing and verifications required for persons who have pled guilty or nolo contendere to or found guilty under federal or state law of a felony involving possession or use of a controlled substance.

[21 U.S.C. Section 862a\(a\)](#) states:

An individual convicted (under Federal or State law) of any offense which is classified as a felony by the law of the jurisdiction involved and which has as an element the possession, use, or distribution of a controlled substance (as defined in section 802(6) of this title) shall not be eligible for—

- (1) assistance under any State program funded under part A of title IV of the Social Security Act [42 U.S.C. 601 et seq.], or*
- (2) benefits under the supplemental nutrition assistance program (as defined in section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012)) or any State program carried out under that Act [7 U.S.C. 2011 et seq.].*

The state option under 21 U.S.C. Section 862a(d)(1) states, “A State may, by specific reference in a law enacted after August 22, 1996, **exempt any or all individuals** domiciled in the State from the application of subsection (a).

Officials from the **City of Kansas City** state the proposed legislation has a negative fiscal impact of an indeterminate amount.

Oversight assumes any costs incurred by the City of Kansas City related to this proposal can be absorbed within current resource levels.

Officials from the **Department of Corrections**, the **Department of Health and Senior Services**, the **Department of Mental Health**, the **Office of the State Courts Administrator**, the **University of Missouri**, the **Phelps County Sheriff’s Department**, the **Kansas City Police**

Department, and the **St. Louis County Police Department** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other cities, counties, local law enforcement, and hospitals were requested to respond to this proposed legislation but did not. A listing of political subdivisions included in the Missouri Legislative Information System (MOLIS) database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
GENERAL REVENUE			
<u>Cost - OA, ITSD/DSS (§208.247)</u> MEDES system updates	<u>(\$63,888)</u>	<u>\$0</u>	<u>\$0</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>(\$63,888)</u>	<u>\$0</u>	<u>\$0</u>
FEDERAL FUNDS			
<u>Income - OA, ITSD/DSS (§208.247)</u> Reimbursement for MEDES changes	\$63,888	\$0	\$0
<u>Cost - OA, ITSD/DSS (§ 208.247)</u> MEDES system updates	<u>(\$63,888)</u>	<u>\$0</u>	<u>\$0</u>
ESTIMATED NET EFFECT ON FEDERAL FUNDS	<u>\$0</u>	<u>\$0</u>	<u>\$0</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

PROTECTION OF VULNERABLE PERSONS (Section 208.247)

Currently, individuals convicted under federal or state law of a felony offense involving possession, distribution, or use of a controlled substance are prohibited from participation in the Supplemental Nutrition Assistance Program (SNAP). This bill repeals that prohibition, allowing those individuals to access SNAP benefits.

The bill prohibits all county and city jails, except in extraordinary circumstances, from using restraints on a pregnant offender in her third trimester, including during transportation or labor, delivery, and 48 hours post-delivery.

In cases of extraordinary circumstances that require restraints to be used, the sheriff or jailer must document, in writing and within 48 hours of the incident, the reason for the restraints used, as specified in the bill. If restraints are used, they must be the least restrictive available and the most reasonable under the circumstances. No leg, ankle, or waist restraints, or mechanical restraints can be used; any wrist restraints used must be placed in front of the offender's body. If a doctor, nurse, or other health care provider treating the pregnant offender during this time requests that restraints not be used, the sheriff or jailer accompanying the offender must immediately remove all restraints.

Pregnant offenders are required to be transported in vehicles equipped with seatbelts. Jails must offer staff training on the provisions of this bill and inform offenders of the policies and practices for restraints on pregnant offenders.

By January 1, 2026, all county and city jails must develop specific procedures for intake and care of pregnant offenders, including the provision of maternal health evaluations; dietary supplements; meals; substance abuse treatment; HIV treatment; Hepatitis C treatment; sleeping arrangements; mental health care; sanitary materials; and postpartum recovery.

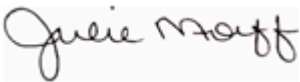
Currently, a statement made by a child under 14 years of age may be admissible in criminal proceedings, under certain circumstances. This bill amends the age to a child under 18 years of age.

Additionally, the bill provides that visual or audio recordings of a child under 18 years of age or a vulnerable person, as defined in the bill, and relating to certain criminal offenses are admissible in criminal proceedings under certain circumstances, as specified in the bill.

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 Corrections
Department of Health and Senior Services
Department of Mental Health
Department of Social Services
Office of the State Courts Administrator
University of Missouri
City of Kansas City
Phelps County Sheriff's Department
Kansas City Police Department
St. Louis County Police Department



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February 10, 2025



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