

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2776H.01P
Bill No.: Perfected HB 1298
Subject: Animals; Department of Health and Senior Services; Children's Division
Type: Original
Date: April 9, 2025

Bill Summary: This proposal modifies provisions relating to abuse and neglect reporting, including a requirement to report companion animal abuse.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
General Revenue	(\$47,114 to \$147,114)	(\$47,114 to \$147,114)	(\$47,114 to \$147,114)
Total Estimated Net Effect on General Revenue	(\$47,114 to \$147,114)	(\$47,114 to \$147,114)	(\$47,114 to \$147,114)

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

Numbers within parentheses: () indicate costs or losses.

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

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Total Estimated Net Effect on FTE	0	0	0

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

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Local Government*	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

*Animal abuse and neglect training.

FISCAL ANALYSIS

ASSUMPTION

§§ 192.2405, 192.2510, 210.115, 210.191, 273.410, and 273.415 – Abuse and neglect reporting, including reporting animal abuse

Officials from the **Department of Elementary and Secondary Education (DESE)** state § 273.415 requires those that are mandated reporters that fail to make a report as required by this section shall be subject to discipline by his or her respective licensing board. This process would require hearings with a potential cost up to \$100,000. These costs which will be dependent on the number of hearing appeals the State Board receives, which include but are not limited to:

- Hearing officer time for hearing and drafting recommendations for the State Board.
- Administrative assistant time to schedule hearings, provide notice to parties and any settlement negotiations.
- Court reporter costs.

For cost explanation purposes, the average cost for a teacher discipline hearing is \$566.55/hearing:

- Average of 3 hours of hearing officer time * average of \$58.08/hour
- Average of 7 hours administrative assistant time * \$31.08/hour
- Average of \$174.75 in court reporter costs/hearing.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect a range of impact of \$0 (no hearings) to Less than \$100,000 in costs (hearings by the State Board) as estimated by DESE in the fiscal note.

Officials from **DPS, MVC** state Veteran Homes employees provide protective services and are mandatory reporters under RSMo 192.2405. The proposed legislation would require MVC to develop and provide one hour of companion animal abuse/neglect training within the first sixty days of employment.

The cost of adding one additional work hour per employee per year (due to additional training requirements) for all Homes employees, assuming all FTE, hourly and intermittent positions allocated to the Homes were filled, would be as follows for year one: \$47,114. This does not include costs associated with training new hires.

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

In response to similar legislation from the current session (SB 65), officials from the **Office of Administration - Budget and Planning (B&P)** stated § 273.410 provides that any professionally licensed person required to make a report, but fails to do so, shall be subject to discipline by their respective licensing board. The following penalties would apply for failure to report:

- For the first instance, the licensing board shall issue a written notice to the individual;
- For a second instance, the licensing board shall impose a fine of one hundred dollars; and
- For a third or subsequent instance, the licensing board shall impose a fine of five hundred dollars.

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 similar legislation from the 2024 session (SB 995), **Oversight** contacted the **Department of Commerce and Insurance**, since it appears the fines imposed would be administrative fines rather than criminal fines. DCI stated their position regarding administrative fines is that the intent of the fine is the same as the intent of criminal fines. Any fines collected by professional licensing boards would be distributed to schools.

Oversight notes that violations of section §273.410 could result in fines or penalties. Oversight also notes per Article IX Section 7 of the Missouri Constitution fines and penalties collected by counties are distributed to school districts. Fine varies widely from year to year and are distributed to the school district where the violation occurred. Oversight will reflect a positive fiscal impact of \$0 to Unknown to local school districts. For simplicity, Oversight will not reflect the possibility that fine revenue paid to school districts may act as a subtraction in the foundation formula.

Officials from the **Department of Health and Senior Services (DHSS)** state §§ 192.2510 and 273.415 require all persons providing protective services to eligible adults to complete at least one hour of training on how to identify companion animal neglect, how to make a report of companion animal abuse or neglect, and the relationship between adult abuse and neglect and companion animal abuse and neglect within the first sixty days of employment. Further, this section also requires the DHSS, in consultation with animal welfare associations, to develop or adapt available training materials.

DHSS, Division of Senior and Disability Services (DSDS), Section for Adult Protective Services (APS) has 257 team members that would require this training. Furthermore, APS hires approximately 44 Social Service Specialists each year that would be required to take the training described above. APS estimates it would take one training staff 40 hours to develop or modify existing training materials in collaboration with DSS. Additionally, APS estimates that this would equate to an additional 12 hours per year to facilitate such training for our staff on an ongoing basis.

It is assumed that the Department can absorb the costs of this bill with current resources. However, if the workload significantly increased or other legislation was enacted, additional resources would be requested through the appropriation process.

Oversight does not have any information to the contrary. Oversight assumes the DHSS has sufficient staff and resources to absorb the additional duties required by this proposal. Therefore, Oversight will reflect no fiscal impact for this agency.

Officials from the **Department of Mental Health (DMH)** state §192.2510.1 is added stating all persons providing protective services to eligible adults, defined in section 192.400, shall be required to complete at least one hour of training within the first sixty days of employment that can be completed during regular working hours. Subsection 2 states DHSS in consultation with animal welfare associations, shall develop or adapt and use available training materials for the required training under this section. Section 210.191 is added stating all children's division employees and their contractors who have direct contact with children through the state's child protection and welfare system shall be required to complete at least one hour of animal abuse training within the first sixty days of employment. Section 273.410.1 is added stating if there is reasonable cause to suspect that a animal may be subjected to abuse, the person shall immediately make a report to the hotline. Subsection 4 states a person required to report animal abuse shall be immune from civil or criminal liability. Subsection 6 states if any state agency determines a mandated reporter employee has failed to make a report, the agency shall include a finding of facts and the notice shall be retained in a separate file maintained by the agency and considered a closed record under chapter 610. Subsection 7 is added stating any required person who is subject to professional licensure, and who fails to make a report, shall be subject to discipline by their licensing board.

It is unclear to what extent the DMH team members would be included within this mandate as persons "who have direct contract with such adults". It is possible that all direct care workers, plus additional administrative team members would need this training. Adding an additional hourly training will increase overall training costs for DMH team members. It would also need to be determined how the training will be tracked and if any extra procedures need to be developed to allow for reporting.

DMH cannot calculate a fiscal impact on the Department at this stage; therefore, the fiscal impact is unknown.

Oversight does not have any information to the contrary. Oversight assumes the DMH has sufficient staff and resources to absorb the additional duties required by this proposal as it relates to the one hour of additional training personnel would be required to receive. However, if the DMH would require additional resources to meet the requirements of this proposal, Oversight assumes they could request those resources through the appropriations process. Oversight will reflect no fiscal impact for this agency for purposes of this fiscal note.

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

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.

Officials from the **St. Louis County Police Department** estimate the proposed bill will require an hour of training for all commissioned officers. The average pay for Police Officers including fringe benefits is \$53.03 an hour. The Department currently has approximately 820 officers. The total cost for one hour of training is \$43,484.60.

Oversight notes the fiscal impact for the St. Louis County Police Department. Oversight is unable to project a statewide cost. Oversight will reflect a potential \$0 or (Unknown) cost to local police and sheriffs' departments from this proposal to update policies and conduct training.

Officials from the **Office of Administration - Administrative Hearing Commission**, the **Department of Commerce and Insurance**, the **Department of Economic Development**, the **Department of Higher Education and Workforce Development**, the **Department of Natural Resources**, the **Department of Corrections**, the **Department of Labor and Industrial Relations**, the **Department of Revenue**, the **Department of Public Safety**, **Divisions of: Alcohol and Tobacco Control, Capitol Police, Fire Safety, Director's Office, Missouri Gaming Commission, Missouri Highway Patrol**, and the **State Emergency Management Agency**, the **Department of Social Services**, the **Joint Committee on Administrative Rules**, the **Missouri Department of Agriculture**, the **Missouri Department of Conservation**, the **Missouri Ethics Commission**, the **Missouri Department of Transportation**, the **MoDOT & Patrol Employees' Retirement System**, the **Missouri Higher Education Loan Authority**, the **Office of Administration**, the **Office of the Secretary of State**, the **Office of the State Public Defender**, the **Office of the State Treasurer**, the **City of Kansas City**, the **City of O'Fallon**, the **City of Osceola**, the **Kansas City Election Board**, the **Platte County Election Authority**, the **St. Louis County Election Authority**, the **Newton County Health Department**, the **Phelps County Sheriff's Department**, the **Kansas City Police Department**, the **East Buchanan County C-1 School District**, **Northwest Missouri State University**, **University of Central Missouri**, the **Office of the Governor**, **Legislative Research**, the **Oversight Division**, the **Missouri Lottery**, the **Office of the State Auditor**, the **Missouri House of Representatives**, the **Joint Committee On Education**, the **Joint Committee on Public Employee Retirement**, the **Missouri Senate**, the **Missouri Consolidated Health Care Plan**, the **Missouri State Employee's Retirement System**, 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.

In response to similar legislation from the current session (SB 65), officials from the **Missouri National Guard**, the **Petroleum Storage Tank Insurance Fund**, the **City of Springfield**, the **Jackson County Election Board**, the **St. Louis City Board of Elections**, the **St. Louis County Health Department**, the **Eureka Fire Protection District**, **St. Charles Community College**, the **Office of the Lieutenant Governor**, and the **Office of the State Courts Administrator**, 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.

Officials from the **Missouri Office of Prosecution Services** did not respond to **Oversight's** request for fiscal impact for this proposal.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other cities, various county officials, local public health agencies, nursing homes, public administrators, sheriffs' and police departments, ambulance and EMS organizations, schools, hospitals and colleges and universities were requested to respond to this proposed legislation but did not. A listing of political subdivisions included in the Missouri Legislative Information System database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
GENERAL REVENUE			
<u>Costs – DESE (§ 273.410) – Hearings held by the State Board p. 3</u>	\$0 to Less than (\$100,000)	\$0 to Less than (\$100,000)	\$0 to Less than (\$100,000)
<u>Costs – DPS, MVC (§ 192.2510) – Additional employee training p. 3</u>	<u>(\$47,114)</u>	<u>(\$47,114)</u>	<u>(\$47,114)</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>(\$47,114 to \$147,114)</u>	<u>(\$47,114 to \$147,114)</u>	<u>(\$47,114 to \$147,114)</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
LOCAL GOVERNMENT – LAW ENFORCEMENT AGENCIES			
<u>Costs</u> – Additional Training (§ 273.415) p. 6	<u>\$0 or</u> (Unknown)	<u>\$0 or</u> (Unknown)	<u>\$0 or</u> (Unknown)
ESTIMATED NET EFFECT ON LOCAL GOVERNMENT – LAW ENFORCEMENT AGENCIES	<u>\$0 or</u> (Unknown)	<u>\$0 or</u> (Unknown)	<u>\$0 or</u> (Unknown)

FISCAL IMPACT – Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

The bill requires animal control officers and animal humane investigators to receive one hour of training within the first 60 days of employment to recognize the signs of abuse or neglect in children, the elderly, and vulnerable persons, while certain professionals who offer support or advocacy services for children in foster care, Children's Division personnel, and protective services employees with direct contact with children, the elderly, and vulnerable persons will be required to receive one hour of training within the first 60 days of employment to recognize the signs of abuse or neglect in animals. (§§ 273.410 and 192.2510)


This bill creates a mandated reporting requirement for certain mental health, educational, protective services, and law enforcement personnel to report cases of animal abuse or neglect to a hotline established by the Missouri Animal Control Association (MACA). MACA must provide the report of abuse or neglect to any duly-authorized law enforcement official, county or municipal animal control officer, or animal cruelty investigator. If the mandated reporter is an employee of an agency or political subdivision of the State and fails to make a report as required under this provision, the employer must send a written notice to the employee noting the failure and providing a reminder of the requirements of reporting animal abuse or neglect. Additionally, a mandated reporter who fails to make a report will be subject to discipline by his or her professional licensing board, as well as a fine, as described in the bill. (§ 273.410)

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
Office of Administration
 Administrative Hearing Commission
 Budget and Planning
Department of Commerce and Insurance
Department of Economic Development
Department of Elementary and Secondary Education
Department of Higher Education and Workforce Development
Department of Health and Senior Services
Department of Mental Health
Department of Natural Resources
Department of Corrections
Department of Labor and Industrial Relations
Department of Revenue
Department of Public Safety –
 Alcohol and Tobacco Control
 Capitol Police
 Fire Safety
 Director's Office
 Missouri Gaming Commission
 Missouri Highway Patrol
 Missouri Veterans Commission
 State Emergency Management Agency
Department of Social Services
Missouri Department of Agriculture
Missouri Department of Conservation
Missouri Ethics Commission
Missouri Department of Transportation
MoDOT & Patrol Employees' Retirement System
Missouri Higher Education Loan Authority
Missouri National Guard
Petroleum Storage Tank Insurance Fund
Office of the Secretary of State
Office of the State Public Defender
Office of the State Treasurer
City of Kansas City
City of O'Fallon
City of Osceola
City of Springfield
Jackson County Election Board
Kansas City Election Board

Platte County Election Authority
St. Louis County Election Authority
St. Louis City Board of Elections
Newton County Health Department
St. Louis County Health Department
Phelps County Sheriff's Department
Kansas City Police Department
St. Louis County Police Department
Eureka Fire Protection District
East Buchanan County C-1 School District
Northwest Missouri State University
University of Central Missouri
St. Charles Community College
Office of the Governor
Office of the Lieutenant Governor
Office of the State Auditor
Missouri House of Representatives
Joint Committee on Administrative Rules
Joint Committee on Education
Joint Committee on Public Employee Retirement
Legislative Research
Oversight Division
Missouri Senate
Missouri Lottery
Missouri Consolidated Health Care Plan
Missouri Office of Prosecution Services
Missouri State Employee's Retirement System
Office of the State Courts Administrator
State Tax Commission



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