

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3107H.04C
Bill No.: HCS for HB 1505
Subject: Department of Corrections; Children and Minors; Prisons and Jails; Crimes and Punishment
Type: Original
Date: April 16, 2025

Bill Summary: The proposal establishes 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 2029)
General Revenue*	Could exceed (\$830,166)	Could exceed (\$389,210)	Could exceed (\$396,047)	**More or less than (\$396,047)
Total Estimated Net Effect on General Revenue	Could exceed (\$830,166)	Could exceed (\$389,210)	Could exceed (\$396,047)	More or less than (\$396,047)

*Reflects a potential cost for the IT system development that could occur in FY 2026 or a potential unknown cost for FTE to handle the calculations. **Unknown savings beginning in FY 2029 reflect a potential reduction in the prisoner population which is assumed to be greater than \$250,000 annually. Oversight notes, in response to other legislation this year, DOC has used a per-inmate cost of \$10,485 to the General Revenue Fund per year.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2029)
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2029)
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2029)
General Revenue	2 to 3 FTE	2 to 3 FTE	2 to 3 FTE	2 to 3 FTE
Total Estimated Net Effect on FTE	2 to 3 FTE	2 to 3 FTE	2 to 3 FTE	2 to 3 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 2029)
Local Government	<u>(Unknown) to Unknown</u>	<u>(Unknown) to Unknown</u>	<u>(Unknown) to Unknown</u>	<u>(Unknown) to Unknown</u>

FISCAL ANALYSIS

ASSUMPTION

§43.080 – Highway Patrol salary increases

Officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** assume 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.

Oversight notes the provisions of this proposal only require the superintendent to include a comparison of salaries of police officers employed by law enforcement agencies in surrounding states.

§43.505 – Changes to reporting requirements

MHP states §43.505.2(5) & (6) will have a fiscal impact on their organization.

The proposed modification to §43.505.2(5) and §43.505.2(6) would require the Uniform Crime Reporting (UCR) program to create new reporting mechanisms in order to distribute the data to the various individuals, committees, and locations. This would require the Patrol's UCR vendor to develop these new reporting mechanisms at an estimated cost of \$9,000.

The vendor report developer is contracted at the base rate of \$900/day to build custom reports. It is estimated §43.505.2(5) would require five business days to complete, totaling \$4,500. In addition, it is estimated the proposed by changes to §43.505.2(6) would also require five business days to complete at a cost of \$4,500. While the implementation of §43.505.2(5) is not until January 1, 2026, and the implementation of §43.505.2(6) is not scheduled until January 1, 2027, the MHP would request completion of these builds immediately following the bill becoming law. This would allow for the testing of the systems, training of personnel, and the mitigation of any increase in rates from the contracted vendor.

Oversight has no information to the contrary. Oversight assumes the MHP would be able to absorb the minimal cost of \$9,000 within existing funding levels and will present no fiscal impact to the Patrol for fiscal note purposes.

§§217.075, 217.312 and 217.1200 – Hospice care training program

Officials from the **Department of Corrections (DOC)** state this proposal establishes provisions relating to public safety.

Section 217.075 stipulates the department shall provide electronic medical records to an offender or their personal representative. Currently, DOC provides medical records via hardcopy to offenders upon their request once a year. At this time, offender tablets are unable to provide

electronic viewing capabilities for records as they do not interface with the departments' medical records system and do not have USB capabilities.

Should this bill pass, the DOC would need to find a software system that will allow the capability of the tablets to receive electronic records. It is unknown how many offenders would request electronic medical records and the time that would be involved in preparing and providing these records. The cost of a software system that would allow the capabilities to receive electronic records is also unknown at this time.

Section 217.1200 allows that the department may establish a hospice care-training program within the state prison system. The department currently offers a hospice-training program that was established pursuant to 217.355. Should this legislation pass, the training curriculum as well as those providing the training, would need to be approved by the Department of Health and Senior Services as well as the Division of Professional Registration. It is unknown what the costs associated with an outside training curriculum and educators/trainers would cost. Therefore, the DOC will assume an unknown fiscal impact to this legislation.

Oversight does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect DOC's impact for fiscal note purposes. Oversight assumes the IT system development will occur in FY 2026 and will reflect DOC's impact of (Unknown, Greater than \$250,000) for FY 2026 and an unknown impact in subsequent years.

Officials from the **Department of Commerce and Insurance (DCI)** state it is uncertain if the provisions of Section 217.1200 would be enacted in FY 2026, FY 2027 or FY 2028. The bill states the hospice training program "may" be developed by DOC. Until the program is in the development phase, the department's Division of Professional Registration has an unknown fiscal impact.

Oversight assumes if this proposal should pass, it will become effective on August 28, 2025. Therefore, Oversight will range the impact from \$0 to an unknown cost as provided by DCI to General Revenue for FY 2026 only.

Officials from the **Department of Health and Senior Services (DHSS)** state DHSS will need one (1) full-time Registered Nurse (\$78,792) to promulgate rules and assist DOC and DPR with the creation, implementation, and ongoing monitoring of the DOC hospice care training program. This position will be a remote position.

Oversight notes because this language is permissive, Oversight will range the impact from \$0 to the estimate provided by DHSS to General Revenue Funds.

§§217.451 and 221.108 – Telephones in correctional facilities

DOC assumes the proposal will have no fiscal impact on their organization. Section 217.451 stipulates no correctional center shall charge an offender a per-minute rate for a domestic phone call that exceeds \$0.12 per minute. 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.

§558.041 – Good time credit

DOC states Section 558.041 is modified to stipulate offenders “shall” receive additional credit and modifies the requirements for such time, to include obtaining a high school diploma or equivalent, completion of a substance use treatment program, and other programs.

Currently, the department does not have an automated system that could track and calculate the good-time credits that are described in the legislation. At this time, the department is unsure if an automated system can be created because of the different criteria it takes to calculate good time credit. This is a labor-intensive calculation done by hand by our Records Officer staff. It is unknown to the department how many additional staff may be needed in order to comply with this legislation.

As such, the department is unable to project the impact to the prison population. However, it is assumed the legislation would decrease the number of individuals incarcerated. **DOC** states that this potential savings will not be realized until FY 2029 and then in each subsequent year thereafter. **DOC** assumes this savings to be more than \$250,000 annually.

Oversight does not have any information contrary to that provided by **DOC**. Therefore, **Oversight** will reflect a potential cost for the IT system development that could occur in FY 2026 or a potential unknown cost for FTE to handle the calculations. Additionally, as this new program may decrease populations for **DOC**, **Oversight** will reflect a potential savings (\$0 or Unknown) beginning in FY 2029. **Oversight** notes, in response to other legislation this year, **DOC** has used a per-inmate cost of \$10,485 to the General Revenue Fund per year.

§650.040 – MO Violent Crime Clearance Grant Program

Officials from the **Department of Public Safety – Office of the Director (DPS)** state they will need a Grant Specialist to work on this new grant program. Upon further review of this section, subsection 7 requires a contract annually with all 569 law enforcement agencies in the state. The contract and its terms are reviewed, negotiated and implemented every year. This will require at least two (2) additional FTE who are attorneys.

Oversight has no information to the contrary. **Oversight** notes **DPS** has an attorney on staff and, therefore, assumes **DPS** would need one (1) additional attorney and a Grant Specialist to perform the work associated with this proposal. **DPS** may seek additional appropriations if the proposal

results in a significant increase in the amount of money appropriated to the grant program resulting in the need for additional FTE.

Oversight notes the provisions of this bill create the Missouri Violent Crime Clearance Grant Program within DPS to improve law enforcement strategies and initiatives aimed at increasing violent crime clearance rates. Agencies awarded grant funding must report to DPS annually on the activities carried out to reduce violent crime and improve clearance rates. Therefore, Oversight will present a \$0 or unknown cost to DPS to distribute grant monies to law enforcement and a \$0 or unknown revenue gain to local law enforcement for grant monies received.

Officials from the **Branson Police Department** state there will be a fiscal impact for the time involved in deriving the statistics required and posting them per the requirements of this bill. The personnel time to accomplish this is estimated at \$20,000 per year.

Oversight has no information to the contrary. Therefore, Oversight will an unknown fiscal impact to local police departments.

Rule Promulgation

Officials from the **Joint Committee on Administrative Rules** assume this proposal is not anticipated to cause a fiscal impact beyond its current appropriation.

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.

Bill as a whole

In response to a previous version, officials from the **Office of State Courts Administrator (OSCA)** stated there may be some impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

Oversight notes OSCA assumes this proposal may have some impact on their organization although it can't be quantified at this time. As OSCA is unable to provide additional information regarding the potential impact, Oversight assumes the proposed legislation will have a \$0 to

(Unknown) cost to the General Revenue Fund. For fiscal note purposes, Oversight also assumes the impact will be under \$250,000 annually. If this assumption is incorrect, this would alter the fiscal impact as presented in this fiscal note. If additional information is received, Oversight will review it to determine if an updated fiscal note should be prepared and seek approval to publish a new fiscal note.

In response to a previous version, officials from the **Office of Attorney General (AGO)** assumed any potential litigation costs arising from this proposal can be absorbed with existing resources. 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.

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.

In response to a previous version, officials from the **City of Osceola** indicated this proposal would have a fiscal impact on their organization. However, **Oversight** notes they provided no information explaining the potential fiscal impact this proposal would have on their organization. Therefore, for fiscal note purposes, Oversight assumes any fiscal impact incurred would be absorbable within current funding levels.

Officials from the **Department of Mental Health**, the **Department of Natural Resources**, the **Department of Public Safety – (Division of Alcohol and Tobacco Control, Capitol Police, and Fire Safety)**, the **Department of Social Services**, the **Missouri Department of Conservation**, the **Missouri Office of Prosecution Services**, the **University of Missouri**, and the **Kansas City 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.

In response to a previous version, officials from the **Office of the State Public Defender**, the **Phelps County Sheriff's Department**, 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.

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	Fully Implemented (FY 2029)
GENERAL REVENUE				
<u>Savings</u> - DOC (§558.041) Potential impact to the population relating to good time credit	\$0	\$0	\$0	\$0 or Unknown
<u>Cost</u> – DOC (§§217.075 and 217.1200) Development of an IT system to receive electronic medical records and hospice care training program	(Unknown, Greater than \$250,000)	(Unknown)	(Unknown)	(Unknown)
<u>Cost</u> – DCI (§217.1200) Develop hospice program curriculum	\$0 to (Unknown)	\$0	\$0	\$0
<u>Cost</u> – DHSS (§217.1200)	\$0 or...	\$0 or...	\$0 or...	\$0 or could exceed...
Personal Service	(\$65,660)	(\$80,368)	(\$81,975)	(\$81,975)
Fringe Benefits	(\$39,477)	(\$48,003)	(\$48,648)	(\$48,648)
Exp. & Equip.	(\$9,486)	(\$6,855)	(\$6,993)	(\$6,993)
<u>Total Cost</u> - DHSS	<u>(\$114,622)</u>	<u>(\$135,227)</u>	<u>(\$137,615)</u>	<u>(\$137,615)</u>
FTE Change - DHSS	0 or 1 FTE	0 or 1 FTE	0 or 1 FTE	0 or 1 FTE
<u>Cost</u> – DOC (§558.041) Calculation of good-time credits	(Unknown, Could exceed \$250,000)	(Unknown)	(Unknown)	(Unknown)
<u>Cost</u> – DPS (§650.040)				Could exceed...
Personal Service	(\$128,952)	(\$157,837)	(\$160,994)	(\$160,994)
Fringe Benefits	(\$78,004)	(\$94,845)	(\$96,110)	(\$96,110)
Exp. & Equip.	(\$8,588)	(\$1,301)	(\$1,328)	(\$1,328)
<u>Total Cost</u> - DPS	<u>(\$215,544)</u>	<u>(\$253,983)</u>	<u>(\$258,432)</u>	<u>(\$258,432)</u>

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2029)
FTE Change - DPS	2 FTE	2 FTE	2 FTE	2 FTE
<u>Cost – DPS (\$650.040)</u> Distribution of grant monies to law enforcement	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<u>Cost – OSCA (various sections)</u> Potential cost relating to public safety	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 or (Unknown)
ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>Could exceed</u> <u>(\$830,166)</u>	<u>Could exceed</u> <u>(\$389,210)</u>	<u>Could exceed</u> <u>(\$396,047)</u>	<u>More or less than</u> <u>(\$396,047)</u>
Estimated Net FTE Change on General Revenue	2 to 3 FTE	2 to 3 FTE	2 to 3 FTE	2 to 3 FTE

<u>FISCAL IMPACT – Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2029)
LOCAL POLITICAL SUBDIVISIONS				
<u>Income – Local law enforcement (\$650.040)</u> Grant monies received	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
<u>Cost – Local law enforcement (\$650.040)</u> Additional cost to gather required data	(Unknown)	(Unknown)	(Unknown)	(Unknown)
ESTIMATED NET EFFECT TO LOCAL POLITICAL SUBDIVISIONS	<u>(Unknown) to Unknown</u>	<u>(Unknown) to Unknown</u>	<u>(Unknown) to Unknown</u>	<u>(Unknown) to Unknown</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2029)
LOCAL POLITICAL SUBDIVISIONS				
<u>Income</u> – Local law enforcement (§650.040) Grant monies received	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
<u>Cost</u> – Local law enforcement (§650.040) Additional cost to gather required data	(Unknown)	(Unknown)	(Unknown)	(Unknown)

FISCAL IMPACT – Small Business

Certain small dentist businesses allowed to provide care in correctional centers could be impacted by this proposal. (Section 332.081)

FISCAL DESCRIPTION

OFFENDERS IN THE CUSTODY OF THE DEPARTMENT OF CORRECTIONS (Sections 217.075, 217.312 and 217.1200)

This bill requires the Department of Corrections to provide electronic copies of all medical records related to an offender while in the custody of the Department upon the request of the offender or his or her representative. Electronic copies must be provided within 30 days of the request being made, and at no cost to the offender. The Department will develop a form for offenders to designate a personal representative who may receive medical records on their behalf.

The bill allows the Department to develop a hospice and end-of-life care training program within the State prison system. In cooperation with the Department of Health and Senior Services and the Department of Commerce and Insurance, a determination will be made for the requirements and appropriate training in order for offenders to receive licensure or certification. Requirements for the curriculum are specified in this bill. Training will be provided by a licensed health care professional, as provided in the bill.

Upon successful completion of the training program, the Department of Corrections will issue to the offender a program completion certificate and develop a process for submission of notice of training completion, as well as application for licensure or certification. The Department of

Health and Senior Services, in consultation with the Department of Corrections and the Department of Commerce and Insurance, will have the rulemaking authority for rules and regulations related to the administration of this bill.

CREDIT EARNED BY OFFENDERS (Section 558.041)

This bill requires the director of the Department of Corrections to issue a policy for good time credit and, separately, earned time credit.

Any major conduct violation of institutional rules, violation of law, parole revocation, or the accumulation of six or more minor conduct violations in a calendar year will result in the loss of all prior credit earned by the offender.

Good time credit will be awarded to offenders who serve their sentences in a peaceable manner and display exemplary compliance with institutional disciplinary regulations. An offender can receive up to 54 days of good time credit toward the service of a sentence per year.

Earned time credit will be awarded to offenders who participate in qualifying rehabilitation programs and productive activities. For every 30 days of successful participation in rehabilitative programs or productive activities during an offender's term of imprisonment, the offender will earn ten days of credit toward a sentence. The bill specifies types of programs or activities for which credit can be earned.

The bill creates a one year window for eligible offenders to petition the Department for earned time credit for qualifying programs or activities completed between January 1, 2010, and August 28, 2025. The Department will notify the incarcerated population of the petition process through posted signage, electronic notification, and through staff in all facilities and will provide petition forms to offenders.

Good time credit and earned time credit are not available to offenders sentenced to death or sentenced to life without probation or parole, or offenders serving a sentence of less than one year.

Nothing in this bill should be construed to remove the parole board's discretion in awarding good time credit or earned time credit.

The Department of Corrections will prepare and submit an annual report to the General Assembly on good time credit and earned time credit.

REPORTING REQUIREMENTS FOR LAW ENFORCEMENT (Section 650.040)

This bill creates provisions related to law enforcement "clearance rates", defined in the bill as the rate at which law enforcement agencies clear an "offense by arrest" or an "offense cleared by exceptional means", also defined in the bill.

This bill requires law enforcement agencies in the state to collect data documenting clearance rates and report the data on a monthly basis to the Department of Public Safety beginning on January 1, 2026. The Department must publish the information quarterly on its website by the 15th of the month following the close of the preceding quarter. The Department must report the information to the Governor, the Missouri Peace Officers Standards and Training (POST) Commission, the chair of the Senate Committee on the Judiciary and Civil and Criminal Jurisprudence and the chair of the House of Representatives Judiciary Committee by July 1, 2027, and every July after. The report must also be available on the Department's website.

The bill creates the "Missouri Violent Crime Clearance Grant Program" within the Department of Public Safety, the purpose of which is to improve law enforcement strategies and initiatives aimed at increasing violent crime clearance rates. The bill describes eligible uses for grant funding as well as to which law enforcement agencies the Department will give priority in awarding grants. Agencies awarded grant funding must report to the Department annually on the activities carried out to reduce violent crime and improve clearance rates during the preceding fiscal year, 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

Attorney General's Office
Department of Commerce and Insurance
Department of Corrections
Department of Health and Senior Services
Department of Mental Health
Department of Natural Resources
Department of Public Safety
Department of Social Services
Joint Committee on Administrative Rules
Missouri Department of Conservation
Missouri Office of Prosecution Services
Office of the Secretary of State
Office of the State Courts Administrator
Office of the State Public Defender
University of Missouri
City of Kansas City
City of Osceola

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Phelps County Sheriff Department
Branson Police Department
Kansas City Police Department
St. Louis County Police Department

A handwritten signature in cursive script that reads "Julie Morff".

Julie Morff
Director
April 16, 2025

A handwritten signature in cursive script that reads "Jessica Harris".

Jessica Harris
Assistant Director
April 16, 2025