

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3873H.04P
 Bill No.: Perfected HCS for HB 2099
 Subject: Real and Personal Property; Crimes and Punishment; Criminal Procedure
 Type: Original
 Date: March 10, 2026

Bill Summary: This proposal modifies provisions relating to the unlawful use of real property.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND

| FUND AFFECTED | FY 2027 | FY 2028 | FY 2029 |
|--|-------------------------|-------------------------|-------------------------|
| General Revenue* | \$0 or (Unknown) | \$0 or (Unknown) | \$0 or (Unknown) |
| Total Estimated Net Effect on General Revenue | \$0 or (Unknown) | \$0 or (Unknown) | \$0 or (Unknown) |

*Oversight assumes the unknown cost will not exceed \$250,000 annually.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS

| FUND AFFECTED | FY 2027 | FY 2028 | FY 2029 |
|---|------------|------------|------------|
| 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 2027 | FY 2028 | FY 2029 |
|---|------------|------------|------------|
| | | | |
| | | | |
| Total Estimated Net Effect on <u>All</u> Federal Funds | \$0 | \$0 | \$0 |

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)

| FUND AFFECTED | FY 2027 | FY 2028 | FY 2029 |
|--|----------|----------|----------|
| | | | |
| | | | |
| 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 2027 | FY 2028 | FY 2029 |
|-------------------------|------------|------------|------------|
| | | | |
| | | | |
| Local Government | \$0 | \$0 | \$0 |

FISCAL ANALYSIS

ASSUMPTION

§§534.602, 534.604 and 569.200 – Unlawful Use of Real Property

Officials from the **Office of the State Courts Administrator (OSCA)** state there may have some impact but there is no way to quantify that amount 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 or (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 **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 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 **Missouri Office of Prosecution Services** assumed the proposal will have no measurable fiscal impact.

In response to a previous version, officials from the **City of Osceola** assumed the proposal will have a fiscal impact but did not provide any additional information.

Officials from the **Department of Commerce and Insurance, Missouri Highway Patrol, Office of the State Public Defender, City of Kansas City, City of O'Fallon, Phelps County Sheriff's Office, Branson Police Department, Kansas City Police Department** and **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 that we have received from state agencies and political subdivisions; however, other cities, commissioners, circuit clerks, local law enforcement agencies and county public administrators were requested to respond to this proposed legislation

but did not. 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. A general listing of political subdivisions included in our database is available upon request.

| <u>FISCAL IMPACT – State Government</u> | FY 2027 (10 Mo.) | FY 2028 | FY 2029 |
|--|------------------------------------|------------------------------------|------------------------------------|
| GENERAL REVENUE | | | |
| <u>Cost – OSCA (§§534.602, 534.604 & 569.200) Potential increase in caseload p.3</u> | \$0 or <u>(Unknown)</u> | \$0 or <u>(Unknown)</u> | \$0 or <u>(Unknown)</u> |
| ESTIMATED NET EFFECT ON GENERAL REVENUE | \$0 or <u>(Unknown)</u> | \$0 or <u>(Unknown)</u> | \$0 or <u>(Unknown)</u> |

| <u>FISCAL IMPACT – Local Government</u> | FY 2027 (10 Mo.) | FY 2028 | FY 2029 |
|---|---------------------|-------------------|-------------------|
| | | | |
| | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |
| | | | |

FISCAL IMPACT – Small Business

Small real estate businesses under §534.602 could be impacted as a result of this proposal.

FISCAL DESCRIPTION

Currently, property owners can file a petition to seek relief for the removal of any unlawful occupants from property containing a residential dwelling.

This bill expands the petition's coverage to private noncommercial property.

Currently, when a law enforcement officer has probable cause to believe that an unlawful occupant on property containing a residential dwelling has violated an ex parte order to remove that person from the property, the officer must arrest the offending party regardless of whether the violation occurred in the presence of the arresting officer. If such an arrest is made in good faith, the arresting and assisting law enforcement officers and employing entities and superiors will be immune from liability for false arrest, false imprisonment, or malicious prosecution.

This bill makes it clear that it must be the arresting and assisting law enforcement officer's employing entities and superiors who will be immune from liability.

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

Office of the State Courts Administrator
City of Osceola
Attorney General's Office
Department of Commerce and Insurance
Missouri Highway Patrol
Office of the State Public Defender
Missouri Office of Prosecution Services
City of Kansas City
City of O'Fallon
Phelps County Sheriff's Office
Branson Police Department
Kansas City Police Department
St. Louis County Police Department



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March 10, 2026



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