

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 5281H.04I  
 Bill No.: HB 2498  
 Subject: Courts, Juvenile; Children and Minors; Crimes and Punishment  
 Type: Original  
 Date: January 19, 2026

Bill Summary: This proposal modifies provisions relating to the certification of a juvenile for trial as an adult.

**FISCAL SUMMARY**

**ESTIMATED NET EFFECT ON GENERAL REVENUE FUND**

FUND AFFECTED	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2036)
General Revenue*	(\$194,653 to Unknown)	(\$476,509 to Unknown)	(\$831,847 to Unknown)	(\$1,491,834 to Unknown)
<b>Total Estimated Net Effect on General Revenue</b>	<b>(\$194,653 to Unknown)</b>	<b>(\$476,509 to Unknown)</b>	<b>(\$831,847 to Unknown)</b>	<b>(\$1,491,834 to Unknown)</b>

\*DOC notes that current capacity will be met by July 2029 (FY 2030) or potentially much sooner. Therefore, Oversight has made the decision to reflect the marginal cost of incarceration up to an unknown cost if DOC needs to add staff and/or rehabilitate, expand or construct additional capacity. Oversight assumes the unknown cost has the potential to exceed \$250,000.

**ESTIMATED NET EFFECT ON OTHER STATE FUNDS**

FUND AFFECTED	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2036)
<b>Total Estimated Net Effect on Other State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: () indicate costs or losses.

**ESTIMATED NET EFFECT ON FEDERAL FUNDS**

FUND AFFECTED	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 20306)
<b>Total Estimated Net Effect on All Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)**

FUND AFFECTED	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2036)
General Revenue	0 FTE	0 FTE	1 FTE	2 FTE
<b>Total Estimated Net Effect on FTE</b>	<b>0 FTE</b>	<b>0 FTE</b>	<b>1 FTE</b>	<b>2 FTE</b>

- 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	Fully Implemented (FY 2036)
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

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

#### §§43.503, 211.071, 211.151 – Certification of a Juvenile for Trial as an Adult

Officials from the **Department of Corrections (DOC)** state §211.071 expands the offense of endangering the welfare of a child in the 2nd degree to include when parents or other persons legally charged with the care of a child who recklessly fail to care or control the child to prevent the child from being a repeat offender of the violations outlined in §211.031. In addition, it expands the offense of endangering the welfare of a child in the 1st degree to include when any person 18 years or older who knowingly encourages, aids or causes a child to engage in any conduct that violates chapter 571, chapter 579 or §211.031.

**Child endangerment in the second degree** is typically considered a class A misdemeanor. However, if the offense is committed by two or more people and is part of a recurring pattern of behavior, it becomes an E felony.

For each new sex or child abuse related class E felony, the DOC estimates three people will be sentenced to prison and three to probation. The average sentence for a sex or child abuse related class E felony offense is 3.5 years, with 2.6 years served in prison prior to first release. Probation sentences will be 5 years.

The cumulative impact on the DOC is estimated to be 9 additional offenders in prison and 9 additional offenders on field supervision by FY 2029.

**Child endangerment in the first degree is typically a class D felony.** However, there are circumstances where it becomes a higher-level offense

- When it is someone's second offense it is a Class C felony
- If it is committed by two or more people as part of a pattern of recurring behavior, it is a Class C felony.
- If the criminal activity involves fentanyl/carfentanil, it is a Class B Felony
- If it results in serious physical injury to a child, it becomes a Class B felony
- Results in the death of a child which is a class A felony

For each new sex or child abuse related class D felony, the DOC estimates seven people will be sentenced to prison and four to probation. The average sentence for a sex or child abuse related class D felony offense is 6.6 years, with 4.7 years served in prison prior to first release. Probation sentences will be 5 years.

The cumulative impact on the DOC is estimated to be 37 additional offenders in prison and 25 additional offenders on field supervision by FY 2032.

**If committed by two or more people as part of a pattern of recurring behavior, it is a Class C felony.** For each new class C felony, the DOC estimates four people will be sentenced to prison and six to probation. The average sentence for a class C felony offense is 6.9 years with 2.1 years served prior to first release. Probation sentences will be 3 years.

The cumulative impact on the DOC is estimated to be 15 additional offenders in prison and 19 additional offenders on field supervision by FY 2030.

**Child endangerment as a second offense is a Class C felony.** For each new class C felony, the DOC estimates four people will be sentenced to prison and six to probation. The average sentence for a class C felony offense is 6.9 years with 2.1 years served prior to first release. Probation sentences will be 3 years.

The cumulative impact on the DOC is estimated to be 15 additional offenders in prison and 19 additional offenders on field supervision by FY 2030.

**If the criminal activity involves fentanyl/carfentanil, it is a Class B felony.** 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 DOC 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 5 years minimum in prison prior to first release under this new statute.

The cumulative impact on the DOC is estimated to be 6 additional offenders in prison and 0 additional offenders on field supervision by FY 2032.

**If it results in serious physical injury to a child, it becomes a Class B felony.** The DOC 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 cumulative impact on the DOC is estimated to be 5 additional offenders in prison and 0 additional offenders on field supervision by FY 2031.

**If it results in the death of a child, these actions are considered a class A felony offense.**

Given the seriousness of class A felony offenses and that the introduction of a completely new class A felony offense is a rare event, the DOC assumes the admission of one person per year to prison following the passage of the legislative proposal.

Offenders committed to prison with a class A felony have an average sentence length of 17.1 years and serve, on average, 12.3 years in prison prior to first release.

The sentence lengths associated with these offenses pushes the estimate of total cumulative impact on the DOC beyond the 10-year time frame of this fiscal note. However, the estimated impact by FY 2036 is 10 additional offenders in prison.

### Combined Cumulative Change from New Offenses

The combined cumulative impact of the new Class E, D, C, B, and A offenses are 97 additional offenders in prison and 115 additional offenders under field supervision by FY 2036.

	# to prison	Cost per year	Total Costs for <b>prison</b>	Change in probation & parole officers	Total cost for <b>probation and parole</b>	# to probation & parole	Grand Total - Prison and Probation (includes 2% inflation)
Year 1	21	(\$11,123)	(\$194,653)	0	\$0	19	(\$194,653)
Year 2	42	(\$11,123)	(\$476,509)	0	\$0	38	(\$476,509)
Year 3	63	(\$11,123)	(\$729,059)	1	(\$102,428)	57	(\$831,487)
Year 4	79	(\$11,123)	(\$932,502)	1	(\$94,995)	68	(\$1,027,497)
Year 5	89	(\$11,123)	(\$1,071,550)	1	(\$96,001)	83	(\$1,167,552)
Year 6	93	(\$11,123)	(\$1,142,104)	1	(\$97,019)	97	(\$1,239,124)
Year 7	94	(\$11,123)	(\$1,177,473)	2	(\$205,578)	111	(\$1,383,051)
Year 8	95	(\$11,123)	(\$1,213,799)	2	(\$198,177)	113	(\$1,411,976)
Year 9	96	(\$11,123)	(\$1,251,109)	2	(\$200,284)	115	(\$1,451,392)
Year 10	97	(\$11,123)	(\$1,289,422)	2	(\$202,412)	115	(\$1,491,834)

The DOC will assume a marginal cost (multiplied by number of offenders) for any projected increase or decrease in the incarcerated population. Marginal cost is \$30.47 per day or an annual cost of \$11,123 per offender which includes costs such as medical, food, wages and operational E&E. The unknown amount is a result of the uncertainty in the growth of the underlying offender population. The impact of any new legislation combined with the growth of the underlying population could result in the tiered approach below in order to meet the population demands.

1. Fully staffing DOC's current capacity (27,368) which is habitable, but the DOC does not have the staffing resources for all bed space.

2. Rehabilitating current space that is not currently habitable and obtaining staffing resources for that space (requires capital improvements).
3. Expanding new capacity by adding housing units or wings to existing prisons and obtaining staffing resources for that space (requires capital improvements).
4. Constructing a new prison and obtaining staffing resources. Based on current construction projects in other Midwest states, the DOC estimates the cost of constructing a new 1,500-bed maximum security prison at approximately \$825 million to \$900 million plus annual operating costs of approximately \$50 million (requires capital improvements).

The DOC's population projections indicate current physical capacity will be met by July 2029; however recent trends indicate that capacity could be met much sooner. Should new construction be the result of the increasing offender population, the full cost per day per offender would be used which is \$106.96 or an annual cost of \$39,040. This includes all items in the marginal cost calculation plus fringe, personal service, utilities, etc.

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.

In instances where the proposed legislation would only affect a specific caseload, such as sex offenders, the DOC will use the average caseload figure for that specific type of offender to calculate cost increases/decreases.

\* 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.

**Oversight** has no information to the contrary. Therefore, Oversight will present the fiscal impact of this proposal as provided by DOC.

Officials from the **Department of Social Services (DSS)** state this legislation, as written, could cause the Division of Youth Services (DYS) to see an increase in Dual Jurisdiction referrals, potentially impacting the number of individuals served annually by this programming. An increase in these referrals could increase the need for additional staffing and increased physical plant capacity. 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. DSS assumes a \$0 to Unknown fiscal impact to General Revenue.

**Oversight** assumes DSS 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.

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.

Officials from the **Branson Police Department (Branson PD)** state this proposal will have an extremely positive fiscal impact on their organization.

Officials from the **Department of Mental Health, Department of Public Safety - Missouri Highway Patrol, Office of the State Public Defender, Phelps County Sheriff, Blue Springs 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, the City of St. Louis, various county officials, and local law enforcement agencies 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</u> <u>– State</u> <u>Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029	Fully Implemented (FY 2036)
<b>GENERAL REVENUE</b>				
<u>Cost – DOC</u> (§211.071) p.3-6				
Personal service	\$0	\$0	(\$52,554)	(\$112,688)
Fringe benefits	\$0	\$0	(\$37,802)	(\$81,056)
Equipment and expense	<u>\$0</u>	<u>\$0</u>	<u>(\$12,072)</u>	<u>(\$8,668)</u>
<b>Total Costs - DOC</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>(\$102,428)</u></b>	<b><u>(\$202,412)</u></b>
FTE Change	0 FTE	0 FTE	1 FTE	2 FTE
<u>Cost – DOC</u> (§211.071) Increase in incarceration and parole costs p.3-6	(\$194,653 to <u>Unknown</u> )	(\$476,509 to <u>Unknown</u> )	(\$729,059 to <u>Unknown</u> )	(\$1,289,422 to <u>Unknown</u> )
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b>(\$194,653 to <u>Unknown</u>)</b>	<b>(\$476,509 to <u>Unknown</u>)</b>	<b>(\$831,847 to <u>Unknown</u>)</b>	<b>(\$1,491,834 to <u>Unknown</u>)</b>
Estimated Net FTE Change on General Revenue	0 FTE	0 FTE	1 FTE	2 FTE

<u>FISCAL IMPACT</u> <u>– Local</u> <u>Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029	Fully Implemented (FY 2036)
	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

FISCAL IMPACT – Small Business

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

## FISCAL DESCRIPTION

Currently, if a juvenile who is not currently certified as an adult is taken into custody for an offense that would be a felony if committed by an adult, the arresting officer is required to take fingerprints for the central repository. This bill requires the fingerprints to be taken when the offense would be reportable if committed by an adult. The bill also repeals a provision requiring the fingerprint card to be made in such a way so as to not reveal the juvenile's name to the central repository.

The bill also authorizes a court to order a hearing to determine whether a juvenile should be certified as an adult if a motion is filed by the office of the prosecuting attorney or the office of the Attorney General if the Attorney General is acting as a special prosecuting attorney. Currently, the juvenile officer is permitted to consult with the prosecuting attorney about any offense for which a juvenile could be certified as an adult. This bill requires the juvenile officer to consult with the prosecuting attorney about any such offense, and it allows the prosecuting or circuit attorney to have access to any completed Missouri Juvenile Detention Assessment (JDTA) form that was used in determining detention. Use of the JDTA or any other assessment will be used as a guideline but is not mandatory. The juvenile officer and the court that has jurisdiction over the juvenile must report all adjudication, delinquency, and custody information to the central repository, and all information reported under the provisions of this bill will be available to criminal justice agencies through the Missouri Uniform Law Enforcement System (MULES) for the administration of justice.

The bill specifies that parents, guardians, or other persons legally charged with the care or custody of a child who recklessly fail or refuse to exercise reasonable diligence in the care or control of the child to prevent the child from being a repeat offender of an offense over which the juvenile court has exclusive jurisdiction will be charged with the offense of endangering the welfare of a child in the second degree. An adult who knowingly encourages, aids, or causes a child to engage in conduct that violates provisions under the chapter related to weapons or controlled substances will be charged with endangering the welfare of a child in the first degree.

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 Mental Health  
Department of Corrections  
Department of Public Safety - Missouri Highway Patrol  
Department of Social Services  
Office of the State Public Defender  
Phelps County Sheriff  
Blue Springs Police Department

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



Julie Morff

Director

January 19, 2026



Jessica Harris

Assistant Director

January 19, 2026