

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 6127S.03C
 Bill No.: SCS for HCS for HB 2587
 Subject: Aircraft and Airports; Crimes and Punishment; Prisons and Jails; Public Buildings
 Type: Original
 Date: April 20, 2026

Bill Summary: This proposal modifies provisions relating to the unlawful use of unmanned aircraft in certain areas.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND

FUND AFFECTED	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2031)
General Revenue*	(Could exceed \$44,492)	(Could exceed \$284,233)	(Could exceed \$320,765)	(Could exceed \$349,988)
Total Estimated Net Effect on General Revenue	(Could exceed \$44,492)	(Could exceed \$284,233)	(Could exceed \$320,765)	(Could exceed \$349,988)

*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 2031)
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS

FUND AFFECTED	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2031)
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 2027	FY 2028	FY 2029	Fully Implemented (FY 2031)
Total Estimated Net Effect on FTE	0	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	Fully Implemented (FY 2031)
Local Government	\$0	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§§577.800, 589.900, and 589.902 – Interception of Unmanned Aircraft Systems

Officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** state the Missouri State Highway Patrol's bomb squad is scheduled to receive federally funded equipment that will enhance its ability to respond to drone-related detection and mitigation calls, consistent with the capabilities contemplated in this legislation. This acquisition is tied to preparations for the upcoming FIFA World Cup and the need to safeguard event venues from drone-related threats. Although the initial purchase is federally funded, ongoing maintenance costs including licensing, warranties, and required software or hardware updates for the drone-related equipment will still be necessary to maintain operational readiness and compliance.

Oversight notes upon further inquiry, the Division of Drug and Crime Control (DDCC) indicated they will not need two (2) FTE to cover calls for drone and explosive related incidents; however, on-going maintenance fees/costs of \$193,469 annually would be required. Therefore, Oversight will reflect MHP's impact for fiscal note purposes.

Officials from the **Department of Corrections (DOC)** state section 577.800 modifies provisions relating to law enforcement interception of unmanned aircraft systems.

Section 577.800 expands the offense of unlawful use of unmanned aircraft over an open-air facility to include a critical infrastructure facility. The penalty is an infraction, unless it is used to deliver a weapon, in which case it is a class B felony, or to deliver a controlled substance, in which case it is a class D felony.

As these are new crimes, there is little direct data on which to base an estimate, and as such, the department estimates an impact comparable to the creation of a new class D felony and a new class B felony.

For each new nonviolent class D felony, the department estimates three people could be sentenced to prison and five to probation. The average sentence for a nonviolent class D felony offense is 5 years, 1.7 years to first release. The remaining 2.2 years will be on parole. Probation sentences will be 3 years.

The cumulative impact on the department is estimated to be 8 additional offenders in prison and 16 additional offenders on field supervision by FY 2029.

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 department 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 department assumes one third of the remaining sentence length will be served in prison as a parole return, and the rest of the sentence will be served on supervision in the community.

The cumulative impact on the department is estimated to be 5 additional offenders in prison and 0 additional offenders on field supervision by FY 2031.

Combined Cumulative Estimated Impact

The combined cumulative estimated impact on the department is 13 additional offenders in prison and 22 additional offenders on field supervision by FY 2031.

	# to prison	Cost per year	Total Costs for prison	Change in probation & parole officers	Total cost for probation and parole	# to probation & parole	Grand Total - Prison and Probation (includes 2% inflation)
Year 1	4	(\$11,123)	(\$44,492)	0	\$0	5	(\$44,492)
Year 2	8	(\$11,123)	(\$90,764)	0	\$0	10	(\$90,764)
Year 3	11	(\$11,123)	(\$127,296)	0	\$0	16	(\$127,296)
Year 4	12	(\$11,123)	(\$141,646)	0	\$0	19	(\$141,646)
Year 5	13	(\$11,123)	(\$156,519)	0	\$0	22	(\$156,519)
Year 6	13	(\$11,123)	(\$159,649)	0	\$0	23	(\$159,649)
Year 7	13	(\$11,123)	(\$162,842)	0	\$0	24	(\$162,842)
Year 8	13	(\$11,123)	(\$166,099)	0	\$0	25	(\$166,099)
Year 9	13	(\$11,123)	(\$169,421)	0	\$0	26	(\$169,421)
Year 10	13	(\$11,123)	(\$172,809)	0	\$0	26	(\$172,809)

The department 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 the current capacity (27,368) which is habitable, but 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 department 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 department'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 does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect DOC's impact for fiscal note purposes.

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. 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 **Department of Commerce and Insurance, Department of Natural Resources, Department of Public Safety - Office of the Director, Missouri Department of Conservation, Missouri Department of Transportation, Missouri National Guard, Office of the State Courts Administrator, University of Missouri System, City of Kansas City, Phelps County Sheriff, Branson Police Department, Kansas City Police Department, Metropolitan**

St. Louis Sewer District, South River Drainage District, and Wayne County PWS #2 each assume the proposal will have no fiscal impact on their respective organizations.

In response to a previous version, officials from the **Office of the State Public Defender, Missouri Office of Prosecution Services, St. Louis County Police Department, and City of O’Fallon** 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 that we have received from state agencies and political subdivisions; however, other cities, counties, local law enforcement, utilities, electric companies and coops, and solid waste management districts 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.

This proposal has an emergency clause.

<u>FISCAL IMPACT – State Government</u>	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2031)
GENERAL REVENUE				
<u>Cost – MHP</u> (§§577.800, 589.900, 589.902) Counter Drone Equipment Maintenance Fees p.4	\$0	(\$193,469)	(\$193,469)	(\$193,469)
<u>Cost – DOC</u> (§577.800) Increased incarceration costs p.4-6	(\$44,492 to <u>Unknown</u>)	(\$90,764 to <u>Unknown</u>)	(\$127,296 to <u>Unknown</u>)	(\$156,519 to <u>Unknown</u>)
ESTIMATED NET EFFECT ON GENERAL REVENUE	(Could exceed <u>\$44,492</u>)	(Could exceed <u>\$284,233</u>)	(Could exceed <u>\$320,765</u>)	(Could exceed <u>\$349,988</u>)

<u>FISCAL IMPACT – Local Government</u>	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2031)
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

This act modifies provisions relating to the unlawful use of unmanned aircraft in certain areas. Under current law, it is a criminal offense to operate an unmanned aircraft over an open-air facility. This act modifies this offense by also making it unlawful to operate an unmanned aircraft within the boundary of any critical infrastructure facility, as defined in the act, or within a vertical distance of four hundred feet from the ground and within the boundary of such facility.

The definition of "open-air facility", as used in this provision, is modified by decreasing the requisite capacity from 5,000 or more people to 500 or more people.

Under current law, any delivery of a gun, knife, weapon, or other article by an unmanned aircraft over an open-air facility shall be punished as a class B felony. This act adds delivery of any explosive device or material, and adds critical infrastructure as a location where such deliveries are prohibited.

Law enforcement officers are authorized to take necessary mitigation measures, as described in the act, against an imminent threat posed by an unmanned aircraft system to public safety. This act provides that any unmanned aircraft seized pursuant to this act shall be subject to forfeiture under the criminal activity forfeiture act.

This act contains an emergency clause.

This legislation is not federally mandated, would not duplicate any other program and may require additional capital improvements or rental space.

SOURCES OF INFORMATION

Attorney General’s Office
 Department of Commerce and Insurance
 Department of Natural Resources
 Department of Corrections

Department of Public Safety
Office of the Director
Missouri Highway Patrol
Missouri Department of Conservation
Missouri Department of Transportation
Missouri National Guard
Office of the State Courts Administrator
Office of the State Public Defender
University of Missouri
Missouri Office of Prosecution Services
City of Kansas City
City of O'Fallon
Phelps County Sheriff
Branson Police Department
Kansas City Police Department
St. Louis County Police Department
Metropolitan St. Louis Sewer District
South River Drainage District
Wayne County PWSD #2



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