

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 6162H.09T
 Bill No.: Truly Agreed To and Finally Passed CCS for SS for SCS for HCS for HB Nos. 2637 & 3155
 Subject: Courts; Crimes and Punishment; Criminal Procedure; Children and Minors; Courts, Juvenile; Law Enforcement Officers and Agencies; Attorneys; Sexual Offenses; Highway Patrol
 Type: Original
 Date: June 26, 2026

Bill Summary: This proposal modifies and establishes provisions relating to public safety.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND

FUND AFFECTED	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2036)
General Revenue*	(\$2,019,513 to Unknown)	(More or less than \$204,638)	(More or less than \$871,854,663)	(More or less than \$27,003,515)
Total Estimated Net Effect on General Revenue	(\$2,019,513 to Unknown)	(More or less than \$204,638)	(More or less than \$871,854,663)	(More or less than \$27,003,515)

*Oversight assumes due to the capacity projections noted by DOC and the length of offenders' sentences under this proposed legislation which would increase the offender population by 1,810 by year ten, Oversight has made the decision to reflect the cost of one new prison (could exceed \$825,000,000) along with operational costs (approximately \$50,000,000) beginning in FY 2029.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS

FUND AFFECTED	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2036)
Missouri State Prosecutorial Services Grant Fund*	\$0	\$0	\$0	\$0
Total Estimated Net Effect on <u>Other State Funds</u>	\$0	\$0	\$0	\$0

*Transfer in less distributions net to zero.

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS

FUND AFFECTED	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2036)
Federal Funds*	\$0	\$0	\$0	\$0
Total Estimated Net Effect on <u>All Federal Funds</u>	\$0	\$0	\$0	\$0

*Revenue gain and costs to DMH are unknown but could exceed \$250,000 annually and net to \$0.

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)

FUND AFFECTED	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2036)
General Revenue	3 FTE	7 FTE	15 FTE	23 FTE
Total Estimated Net Effect on FTE	3 FTE	7 FTE	15 FTE	23 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 2027	FY 2028	FY 2029	Fully Implemented (FY 2036)
Local Government	(Unknown) to Unknown	(Unknown) to Unknown	(Unknown) to Unknown	(Unknown) to Unknown

FISCAL ANALYSIS

ASSUMPTION

§§43.500, 43.503, 43.506, 43.509, 43.527, 43.530, 527.270, 589.400, 589.401, 589.403, 589.404, 589.405, 589.407, 589.410, 589.411, 589.412, 589.413, 589.414, 589.415, 589.417, 632.489, 632.492, 632.495, 632.504, and 632.520 – Sexual Offenses

Officials from the **Department of Corrections (DOC)** state it is unknown the number of petitioners that would request to access records outlined in §589.401, however, this could have a minimal impact on the department, which could be absorbed. Should the number of petitioners increase substantially, it could have a significant fiscal impact on the department.

Section 632.495 modifies a provision regarding the Department of Mental Health (DMH) entering into an interagency agreement with DOC for the housing of sexually violent predators or those that may meet the definition of such as determined by the courts. It adds that the department would have to have necessary space and services available, and the director would have to agree to provide such confinement. It also allows DOC to enter into other contractual agreements to provide necessary services. Currently, no plans to enter into an interagency agreement have been made, however, this legislation permits future joint collaboration should this legislation pass. Should arrangements be made and the department enters into an agreement with the Department of Mental Health, the DOC could request any necessary funding from the General Assembly through the budget process. However, at this time, the department assumes no impact for this section.

Oversight does not have any information to the contrary. Therefore, Oversight assumes the DOC 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 DOC for fiscal note purposes. However, if multiple bills pass which require additional staffing and duties, the DOC may request funding through the appropriation process.

Officials from the **Department of Mental Health (DMH)** state §§632.489, 632.492, 632.495, 632.504, and 632.520 are added regarding the ability of DMH to enter into an interagency agreement with Department of Corrections for the confinement of persons meeting the definition of a sexually violent predator. There is no anticipated fiscal impact.

§56.265 – Compensation for Prosecuting Attorneys

Oversight notes the provisions of §56.265.1(1) state a full-time prosecuting attorney of a charter, first or second class county, or of a city not within a county shall receive a compensation of 100% of a circuit judge salary (\$182,427). There are five charter counties, thirteen 1st class counties and three 2nd class counties along with the City of St. Louis.

Additionally, the provisions of §56.265.1(2) state a full-time prosecuting attorney of 3rd and 4th class counties shall receive a compensation equal to 100% of an associate circuit judge salary (\$167,833) or upon approval by a majority of the county commission, the compensation could be equal to 95% of a circuit judge salary (\$182,427 x .95 = \$173,306). There are 89 3rd class counties and four 4th class counties.

Furthermore, upon approval by a majority of the county commission, a part-time prosecuting attorney shall receive compensation equal to between 30 and 60% of an associate circuit judge salary (\$167,833 x .30 = \$50,350) to (\$167,833 x .60 = \$100,700).

Oversight does not have the information to determine which counties have full-time or part-time prosecuting attorneys on staff or the amount of their current salaries. Oversight assumes §56.265.9 creates the Missouri State Prosecutorial Services Grant Fund to help supplement salaries for 3rd and 4th class counties based on need. Therefore, Oversight will reflect a \$0 or (Unknown) transfer from General Revenue going into the Missouri State Prosecutorial Services Grant Fund and a \$0 or (Unknown) transfer from this fund to 3rd and 4th class counties.

§57.540 – Compensation for the Attorney of the Sheriff of the City of St. Louis

In response to a similar legislation, SCS SB 944 (2026), officials from the **City of St. Louis** stated the proposed legislation would raise the salary limit for the position of Attorney of the Sheriff of the City of St. Louis. The current limit under the existing statute is \$15,000 (although payroll records may indicate current salary of \$25,000). Should the Sheriff of the City elect to raise this position's salary to the new limit, there would be an increase in cost to the City of at least \$50,000 in salary plus another \$14,000 in fringe benefits (FICA, pension, life insurance, etc.) bringing the total additional cost to nearly \$65,000.

Oversight notes in this version of the bill, the \$15,000 salary per annum is repealed and the sheriff will set the compensation for an attorney hired. Oversight is unaware how much the compensation will be should this proposal be enacted. Therefore, Oversight will reflect an unknown cost for this proposal.

§211.071 – Juvenile Courts

Officials from the **DOC** state §211.071 is modified to allow juvenile offenders who are between 14 and 18 to be tried as adults if they have: committed an A or B felony, have committed any kind of felony under section 566 (sexual offenses), or have committed two felonies within 180 days of each other. The impact of §211.071 is difficult to estimate. In FY 2025, there were:

- 2 class D felony probations
- 1 class E felony probation
- 1 class A misdemeanor probation
- 1 class E felony sent to prison
- 4 class D felonies sent to prison

- 2 class C felonies sent to prison

for offenders who were under 18 at the commission of offenses. It is unclear if these would have been subject to the new law, as the DOC cannot determine the timing of offenses or if these sentences were the result of plea bargains. Therefore, the fiscal impact from this section is unknown.

Officials from the **Office of the State Courts Administrator (OSCA)** state the proposed legislation modifies and establishes provisions relating to public safety.

The impact of any new legislation on the caseload of juvenile officers or the population of individuals in juvenile detention is difficult to predict. As drafted, the legislation would affect juvenile officer caseload complexity and could cause an unknown increase in the number of individuals in juvenile detention. For FY 2027, based on the current juvenile caseload and detention population, the Judiciary has identified and requested a total of \$11,670,601 and 13.36 FTE. This includes the following:

- Based on the juvenile officer weighed workload model and support staff guidelines, no fewer than 13.36 FTE, with a personal services cost of \$817,516 and E&E of \$39,799 (\$28,281 one-time cost; \$11,518 on-going); and
- To staff and maintain juvenile detention centers at full capacity and in compliance with juvenile detention facility standards, a total of \$10,813,306, with personal services costs of \$1,057,306 and E&E of \$9,756,000 for security and mental health services.

Should the new legislation increase caseload or detention population beyond current staffing or current bed space, the necessary staffing resources will be reflected in future budget requests.

The proposed legislation is approximately 13.36 FTE and \$11,670,601 to an unknown amount.

Upon further inquiry, **OSCA** noted the costs they provided for the fiscal note are New Decision Items (NDIs) listed in the Judiciary FY 2027 Appropriations book. OSCA indicated the cost noted above is based on the current juvenile caseload and detention population. The impact of any new legislation on the caseload of juvenile officers or the population of individuals in juvenile detention is difficult to predict. As drafted, the legislation would affect juvenile officer caseload complexity and could cause an unknown increase in the number of individuals in juvenile detention. Should the new legislation increase caseload or detention population beyond current staffing or current bed space, the necessary staffing resources will be reflected in future budget requests.

For purposes of this fiscal note, **Oversight** assumes cost associated with this proposal would be in addition to the cost noted above for existing caseloads/detention population. Oversight will reflect an unknown cost for OSCA based on a potential increase in the number of individuals in juvenile detention.

§211.342 – Juvenile Detention Center

In response to similar legislation, TAFP SS #3 SB 888 (2026), officials from the **Office of Administration - Budget and Planning (B&P)** stated §211.342 of the proposal allows counties to establish a 1% sales tax for the purpose of establishing juvenile detention centers. B&P defers to local government for the fiscal impact. To the extent that increased sales taxes are collected by the Director of DOR, any collection fee would be an increase to TSR. B&P defers to DOR on the estimate of any tax collections.

Officials from the **Department of Revenue (DOR)** state this proposal would grant counties the ability to create a juvenile detention center. It would also allow counties within the same circuit to establish one juvenile detention center to share. This proposal also grants the counties the ability to adopt by a vote of the citizens of a county a sales tax to fund their portion of the juvenile detention center. The sales tax can be up to 1% on all retail sales in the county. The tax is to be collected by DOR who is allowed to retain 1% of the amount collected to reimburse the expense of collection.

The language of this proposal would become effective August 28, 2026, and it appears the first election in which the sales tax could be voted on would be the April 2027 municipal election. This proposal adds language stating that the sales tax would become effective the first day of the second quarter following the election. DOR notes that upon receipt of the election they would notify the vendors in the area of the new sales tax, and it would become effective October 1, 2027.

DOR is unable to predict which counties may choose to adopt this sales tax. DOR notes that once a new county passes the sales tax and notifies DOR, the DOR would get the new county set up. It will require the Department to make changes to Revenue Premier, Rate Manager, MyTax portal, Avalara Sales and use tax rate map, and website changes. These changes are estimated at \$1,887 per system change (\$7,548) for each county that passes it.

Oversight assumes DOR is provided with core funding to handle a certain amount of activity each year. Oversight assumes DOR could absorb the costs related to administrative and computer updates that could occur from the impact of a new county sales tax from the provisions of this proposal. If multiple bills pass which require additional staffing and duties at substantial costs, DOR could request funding through the appropriation process.

Oversight notes the first election in which the sales tax could be voted on would be in the April 2027 municipal election. If the sales tax is approved by the voters, then the first day the sales tax could take effect would begin October 1, 2027 (FY28). DOR's administrative collection of the sales tax from the counties would be in November of 2027. Oversight is also not aware of how many counties would choose to adopt this sales tax. Therefore, Oversight will assume the unknown revenue collection from DOR's 1% fee will not meet the \$250,000 threshold.

Oversight will reflect a \$0 (no voter approval) or unknown revenue impact to general revenue for DOR's administrative collection of sales tax for the counties who vote in a sales tax to fund a Juvenile Detention Center within their judicial circuit beginning in FY28. Oversight will also reflect a \$0 (no voter approval) or unknown revenue to the County Juvenile Detention Center Sales Tax Trust Fund beginning in FY28.

Officials from the **Department of Social Services (DSS)** state this legislation, as written, could cause the Division of Youth Services to see an increase in Dual Jurisdiction referrals, potentially impacting the number of individuals served annually by this programming. 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.

Oversight assumes DSS would have a \$0 or (Unknown) fiscal impact. If DSS has an impact, it is assumed it could exceed \$250,000 annually.

§455.098 – Lifetime Protection Orders

Officials from the **OSCA** state §455.098 would have a technological fiscal impact that would be at least \$750,000 to \$1,000,000. There may be some additional impact as well, 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 additional fiscal impact beyond the technological costs that can't be quantified at this time. As OSCA is unable to provide additional information regarding this potential impact, Oversight assumes the proposed legislation will have a cost to General Revenue (GR) of \$750,000 to greater than \$1,000,000 for FY 2027 and \$0 or (Unknown) cost to GR for subsequent years. If these assumptions are incorrect, they 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.

Upon further inquiry in response to similar legislation, SB 197 (2025), **OSCA** stated for the protection order to be extended to the lifetime of the respondent, the Statewide Case Management System (SCM) might require modifications and the interface with the Missouri Highway Patrol might also require modifications. The uncertainty of the technical requirements/impact of this proposed legislation is what is driving the estimated amount of the fiscal impact. If more information can be provided regarding how the lifetime protection order process will be implemented, the estimated fiscal impact can be revisited.

§§544.667, 565.090, 565.091, 565.260, 565.400, 565.405, 573.570, and 573.575 – Forfeiture, Harassment, Unlawful Tracking, Cyberharassment, Cyberstalking, and Disclosure of Intimate Digital Depictions

Officials from the **DOC** state §565.090 expands the offense of harassment in the first degree, adding a class D felony if the defendant has previously been found guilty of a violation of this section or §565.091, or any offense committed in another jurisdiction which, if committed in this state, would be chargeable or indictable as a violation of any offense listed in this section or §565.091.

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

For each new violent class D felony, the **DOC** estimates four people could be sentenced to prison and four to probation. The average sentence for a nonviolent class D felony offense is 5.7 years with 3 years served in prison prior to first release. Probation sentences will be 4 years.

The cumulative impact on the **DOC** is estimated to be 16 additional offenders in prison and 16 additional offenders on field supervision by FY 2030.

Section 565.091 modifies the class E felony offense of harassment in the 2nd degree to include when a person has previously been found guilty of harassment in the 1st degree or 2nd degree.

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 E felony.

For each new violent class E felony, the department estimates two people will be sentenced to prison and one to probation. The average sentence for a violent class E felony offense is 4 years, with 2.2 years to first release. Probation sentences will be 4 years.

The cumulative impact on the department is estimated to be 6 additional offenders in prison and 3 additional offenders on field supervision by FY 2029.

Section 565.260 creates the offense of unlawful tracking of a motor vehicle if a person knowingly installs, conceals, or otherwise places an electronic tracking device in or on a motor vehicle without the consent of all owners of the vehicle. The penalty is a class A misdemeanor for the first offense and a class E felony for any second or subsequent offenses.

As misdemeanors fall outside the purview of **DOC**, there is no impact to **DOC** for the offense resulting in the class A misdemeanor. The offense resulting in a class E felony would be considered a new crime. As there is little direct data on which to base an estimate, the **DOC** estimates an impact comparable to the creation of a new class E felony.

For each new nonviolent class E felony, the **DOC** estimates one person could be sentenced to prison and two to probation. The average sentence for a nonviolent class E felony offense is 3.4 years, with 1.4 years served in prison prior to first release. Probation sentences will be 3 years.

The cumulative impact on the department is estimated to be 2 additional offenders in prison and 7 additional offenders on field supervision by FY 2029.

Section 565.405 creates the offense of cyberstalking if such person purposely engages in a threatening or aggressive course of conduct by using digital technology, internet service providers, or other electronic communications and devices to enhance the ability to intimidate, track or cause undue stress to another person. The penalty is a class A misdemeanor for the first offense, and a class E felony for any second or subsequent offense.

As misdemeanors fall outside the purview of DOC, there is no impact to DOC for the offense resulting in the class A misdemeanor. The offense resulting in a class E felony would be considered a new crime. As there is little direct data on which to base an estimate, the DOC estimates an impact comparable to the creation of a new class E felony.

For each new nonviolent class E felony, the DOC estimates one person could be sentenced to prison and two to probation. The average sentence for a nonviolent class E felony offense is 3.4 years, with 1.4 years served in prison prior to first release. Probation sentences will be 3 years.

The cumulative impact on the DOC is estimated to be 2 additional offenders in prison and 7 additional offenders on field supervision by FY 2029.

Section 573.570 creates the offense of disclosure of an intimate digital depiction. The penalties for this offense include: a class D felony for a violation of subdivision (1) of subsection 2; a class E felony for a violation of subdivision (2) of subsection 2; and, a class C felony if it is a second or subsequent violation of subsection 2 or it is reasonable to expect that the offense could impact government activity or facilitate violence.

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

For each new nonviolent class E felony, the DOC estimates one person could be sentenced to prison and two to probation. The average sentence for a nonviolent class E felony offense is 3.4 years, with 1.4 years served in prison prior to first release. Probation sentences will be 3 years.

The cumulative impact on the DOC is estimated to be 2 additional offenders in prison and 7 additional offenders on field supervision by FY 2029.

For each new nonviolent class D felony, the DOC 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, with 1.7 years served in prison prior to first release. Probation sentences will be 3 years.

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

For each new class C felony, the DOC estimates four people could 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.

Section 573.575 creates the offense of sadistic online exploitation if a person uses the internet to manipulate, hurt or threaten a victim through forcing their submission, use of violence, self-harm, or destruction, or to extort another person for financial gain. The penalty is a class E felony.

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

For each new violent class E felony, the department estimates two people will be sentenced to prison and one to probation. The average sentence for a violent class E felony offense is 4 years, with 2.2 years to first release. Probation sentences will be 4 years.

The cumulative impact on the department is estimated to be 6 additional offenders in prison and 3 additional offenders on field supervision by FY 2029.

Officials from the **Office of the State Public Defender (SPD)** state per the National Public Defense Workload Study, the new charges contemplated by §§544.667, 565.260, and 565.405 would each take approximately twenty-two hours of SPD work for reasonably effective representation. If one hundred cases were filed under these sections in a fiscal year, representation would result in a need for an additional attorney. Because the number of cases that will be filed under these statutes is unknown, the exact additional number of attorneys necessary is unknown. Each case would also result in unknown increased costs in the need for core staff, travel and litigation expenses. However, if the charges were classified as class D misdemeanors, then no jail time would be authorized, and the cases would not qualify for SPD representation.

In addition, the new charges contemplated by §§573.570.2(1), 573.570.2(2) and 573.575 would each take approximately thirty-five hours of SPD work for reasonably effective representation. If one hundred cases were filed under these sections in a fiscal year, representation would result in a need for an additional one to two attorneys. The new charge contemplated by §573.570.2(3), creating a new C felony, would take approximately fifty-seven hours of SPD work for reasonably effective representation. If one hundred cases were filed under this section in a fiscal year, representation would result in a need for an additional three attorneys.

Because the number of cases that will be filed is unknown, the exact additional number of attorneys necessary is unknown. Each case would also result in unknown increased costs in the need for core staff, travel, and litigation expenses.

Based on the increase in the prison population and the probation and parole population as estimated by DOC, **Oversight** assumes there could be potential costs for the SPD. Oversight will show a potential unknown cost for additional FTE beginning in FY 2027.

Officials from the **DOC** state this proposal modifies provisions relating to public safety as follows:

§556.061 – Dangerous Felonies

Section 556.061 is modified to include all statutory rape in the first degree and all statutory sodomy in the first-degree cases to be dangerous felonies, not just those where the victim is less than 12 years old at the time of the offense. It also adds abuse through forced labor when punished under subsection 4 of §566.203, trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor or attempted trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor when punished under subsection 4 of section 566.206, trafficking for the purposes of sexual exploitation or attempted trafficking for the purposes of sexual exploitation when the offense was effected by force, abduction, or coercion, sexual trafficking of a child in the first degree, sexual trafficking of a child in the second degree, failure to register as a sex offender as a third offense as dangerous felonies, and endangering the welfare of a child in the first degree when punished under §568.045.

During FY 2025, there were 81 first releases from prison that would qualify as dangerous felonies under the proposed bill that were not required to serve 85 percent of their prison sentence under current statute. The average stay for these 81 releases was 6.5 years, with the average sentence being 11.2 years. If everyone in this group were to have been required to serve 85 percent, the stay length would have instead been 9.8 years.

The estimated impact of this section is 178 additional offenders in the prison population and 178 less in the field population by FY 2037. In the first ten years, the estimated impact is an additional 154 offenders in the prison population and 154 less in the field population by FY 2036.

§§558.011 and 558.016 – Prison Terms

It is assumed that those serving an MPT under 558.019 would instead serve the new minimum prison term (MPT) under §558.011. Due to uncertainty of how §558.016 will impact sentence lengths given by the courts, two sets of assumptions are given: The first set assumes the length of sentence will increase by a factor proportionate with the length of sentence from those who were released and would have met the definition of a persistent offender from FY 2022 to FY 2025. (For those going from B to A, a factor of 1.55 is applied to the actual sentence length. For those going from C to B, a factor of 1.42 is applied to the actual sentence length. For those going from D to C, a factor of 1.46 is applied to the actual sentence length. For those going from E to D, a factor of 1.4 is applied to the actual sentence length). A second set assumes the length of the sentence will stay the same or increase to the minimum sentence length for the new penalty

class, whichever is greater. For instance, a class B felony sentence of 7 years would increase to 10 years, the minimum sentence length for a class A felony.

Class A Felonies (70%)

In FY 2025, there were 407 first releases from prison where the most serious sentence was a class A felony or have a class B felony and would be considered under class A felony parole guidelines after revised prior and persistent definitions are applied. These offenders served an average of 12.9 years to first release on an average sentence of 16.2 years. If offenders in this group had instead served at least 70% of their stay, they would have served 15.3 years to first release with an average sentence length of 18.1 years.

Due to the long length of sentences, this will result in no impact for the first ten fiscal years.

Class B Felonies (50%)

In FY 2025, there were 416 first releases on class B felonies or have a class C felony and would be considered under class B felony parole guidelines after revised prior and persistent definitions are applied. The average stay for these offenders was 5.6 years on an average sentence of 10.1 years. If instead these offenders were to serve at least 50% of their sentence, the average sentence length would be 11.5 years with 7.0 years served to first release. This would result in an increase of the prison population of 582 offenders and no change in the field population by FY 2038. In the first ten fiscal years, this will result in an increase in the prison population of 582 offenders and a decrease in the field population of 582 offenders by FY 2036.

Class C Felonies (30 to 50%)

In FY 2025, there were 1,002 first releases whose most serious offense was a class C felony or have a class D felony and would be considered under class C felony parole guidelines after revised prior and persistent definitions are applied. These offenders served 2.5 years on average of a 6.1-year average prison sentence. If these offenders had served under the proposed law the average sentence would have been 8.3 years with 3.7 years served to first release. Going forward, this would lead to an increase in the prison population of 1,503 offenders and an increase in the field population of 701 offenders by FY 2035.

Class D Felonies (20 to 50%)

In FY 2025, there were 1,341 first releases whose most serious offense was a class D felony or have a class E felony and would be considered under class D felony parole guidelines after revised prior and persistent definitions are applied. Of these offenders, the average stay was 1.9 years with an average sentence length of 4.9 years. If these offenders were required to serve under the proposed law, the average stay would have been 1.4 years with 5.2 years served to first release, resulting in a decrease of 268 offenders from the prison population and an increase of 670 offenders to the field population by FY 2032.

Class E Felonies (15 to 50%)

In FY 2025, there were 366 first releases whose most serious offense was a class E felony. Of these offenders, the average stay was 1.6 years and the average sentence length was 3.6 years. If

the current proposal were applied, the average stay would have been 1.5 years with an average sentence length of 3.6 years, resulting in a decrease to the prison population of 256 offenders and an increase in the field population of 256 offenders by FY 2029.

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

Officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** state that the Missouri State Highway Patrol's bomb squad is scheduled to receive federally funded equipment that will allow them to respond to drone-related detection and mitigation calls, consistent with the capabilities contemplated in this legislation. This equipment and associated training are tied to preparations for the upcoming FIFA World Cup and the need to safeguard event venues from drone-related threats. Once equipped and trained, the bomb squad is expected to become the primary responder for drone detection and mitigation incidents statewide. The specialized nature of this work—and the high cost of the required technology—makes it impractical for smaller agencies to provide comparable services. To ensure adequate statewide coverage for both drone-related and explosive-related incidents, the addition of two (2) officers, paid at the Sergeant level, is needed to adequately cover calls for drone and explosive related incidents in the state.

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 does not have any information contrary to that provided by MHP. Therefore, Oversight will reflect MHP's impact for two (2) FTE in addition to ongoing maintenance costs for the counter drone equipment as presented by the MHP.

Officials from the **DOC** state §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 or explosive material/devices, 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.

In response to similar legislation, SCS HCS HB 2587 (2026), officials from the **City of Kansas City** assumed the proposal will have no fiscal impact on their organization.

In response to a previous version, officials from the **City of O'Fallon** assumed 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 for these agencies.

This part of the proposal has an emergency clause.

§590.192 – Critical Incident Stress Management Program

Officials from the **Department of Public Safety (DPS) – Office of the Director** state §590.192 RSMo added clarifying language to existing statute requiring creation of a program and/or verification of acceptable programs. The costs are unknown, but DPS expects to need at least one (1) FTE.

Oversight does not have information to the contrary and therefore, Oversight will reflect the estimate as provided by the DPS - Office of the Director.

§632.305 - Civil Detention Procedures

Officials from the **DMH** state §632.305 modified to remove the language "without a notarization requirement" from subsection 1. Subsection 5 is modified to specify that notification is not required when the application is completed by: a peace officer under subsection 3; a licensed physician, mental health professional, or registered nurse under subsection 4; or an employee acting on behalf of a hospital under subsections 1 or 2. There is no anticipated fiscal impact.

§§632.580, 632.585, 632.590, 632.593, 632.595, 632.600, 632.605 and 632.610 - Court-Ordered Involuntary Outpatient Treatment for Persons with Mental Disorders

Officials from the **DOC** state perjury committed in any proceeding not involving felony charges is a class E nonviolent felony.

For each new nonviolent class E felony, the department estimates one person could be sentenced to prison and two to probation. The average sentence for a nonviolent class E felony offense is 3.4 years, of which 2.1 years will be served in prison with 1.4 years to first release. The remaining 1.3 years will be on parole. Probation sentences will be 3 years.

The cumulative impact on the department is estimated to be 2 additional offenders in prison and 7 additional offenders on field supervision by FY 2029.

Perjury committed in any proceeding involving felony charges is a class D nonviolent 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, of which 2.8 years will be served in prison with 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.

It is a class B felony if perjury is committed during a criminal trial for the purpose of securing the conviction of an accused for any felony except murder.

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 no additional offenders on field supervision by FY 2031.

It is class A felony if the perjury is committed during a criminal trial for the purpose of securing the conviction of an accused for murder.

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

Officials from the **DMH** state this proposal creates provisions relating to court ordered involuntary outpatient treatment for persons with mental disorders.

Section 632.580 defines “assisted outpatient treatment” as court ordered involuntary outpatient mental health care services that are provided by a mental health program under a treatment plan developed and monitored by a master’s level mental health professional. The services can include case management, medication management, therapy, substance use treatment, crisis intervention services, and assistance with housing, employment, or other county resources necessary to an individual’s stability.

Section 632.585 states a petition for an order authorizing involuntary outpatient treatment may be filed by the director, administrator or treating physician of a mental health program of where the individual is hospitalized or an emergency center where the individual is receiving services or the Department of Health and Senior Services (DHSS), DMH or any local public health agency located within the judicial district in which the petition is filed. Subsection 3 states the petition shall allege under oath, without a notarization requirement, that the petitioner has reason to believe that the respondent meets the criteria for assisted outpatient treatment in section 632.590 and the petition shall specify factual information on which such belief is based and shall contain the names and addresses of all persons known to the petitioner who have knowledge of such facts through personal observation. Subsection 4 states no notarization shall be required for a petition or for any affidavits, declarations or other documents supporting a petition and shall be subject to the provisions of section 492.050 allowing for declaration under penalty of perjury.

Section 632.590 states a court may issue an order requiring a respondent to participate in assisted outpatient treatment if they are eighteen years of age or older, is suffering from a mental disorder, will not obtain treatment voluntarily and is unable to make an informed decision to seek or to comply with the voluntary treatment. The court shall assign a case manager from a Certified Community Behavioral Health Clinic (CCBHC) to individuals ordered to assisted outpatient treatment, and the case manager shall monitor compliance of the court order. The case worker and respondent shall report to court at least every 90 days unless the court request more

frequent appearances. Respondents that do not comply with the order may be court ordered to an evaluation or hospitalization as outlined.

DMH does not directly provide outpatient services. DMH contracts with Community Mental Health Centers (CMHC) and CCBHC providers who provide Assisted Outpatient Treatment (AOT). Because of the case management and treatment requirements included in the proposal, DMH community providers will likely see increased costs. The average CCBHC PPS rate for FY26 is \$318.52 per visit. The fiscal impact at this time is unknown as it is not known how many individuals would be court-ordered to AOT.

Oversight does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by the DMH. Oversight assumes the unknown negative impact to DMH could exceed \$250,000 annually each to GR and Federal Funds.

Responses regarding the proposed legislation as a whole

Officials from **Department of Corrections** state:

Combined Cumulative Estimated Impact for DOC

In the first 10 years, this proposal will increase the prison population by 1,810 offenders and increase the field population by 1,059 offenders by FY 2036. The combined cumulative estimated impact on the department is 2,725 additional offenders in prison and 1,496 additional offenders on field supervision by FY 2045.

Year	# to prison	Cost per year	Total savings and/or cost for prison	Change in probation & parole officers	Total savings and/or cost for probation and parole	# to probation & parole	Grand Total - Prison and Probation (includes 2% inflation)
Year 1	28	(\$11,123)	(\$266,952)	0	\$0	35	(\$266,952)
Year 2	(90)	(\$11,123)	\$1,021,091	4	(\$404,790)	216	\$616,301
Year 3	(447)	(\$11,123)	\$5,172,849	12	(\$1,195,426)	636	\$3,977,423
Year 4	(136)	(\$11,123)	\$1,605,319	6	(\$569,972)	355	\$1,035,347
Year 5	869	(\$11,123)	(\$10,462,667)	(9)	\$864,015	(496)	(\$9,598,652)
Year 6	1,070	(\$11,123)	(\$13,140,339)	(8)	\$776,153	(419)	(\$12,364,186)
Year 7	1,071	(\$11,123)	(\$13,415,672)	9	(\$882,428)	489	(\$14,298,100)
Year 8	1,446	(\$11,123)	(\$18,475,297)	21	(\$2,168,772)	1,119	(\$20,644,069)
Year 9	1,728	(\$11,123)	(\$22,519,931)	22	(\$2,213,190)	1,140	(\$24,733,121)
Year 10	1,810	(\$11,123)	(\$24,060,356)	20	(\$2,024,117)	1,059	(\$26,084,473)

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 assumes due to the capacity projections noted by DOC and the length of offenders' sentences under this proposed legislation, Oversight has made the decision to reflect the cost of one new prison (could exceed \$825,000,000) along with operational costs (approximately \$50,000,000) beginning in FY 2029.

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 the **Missouri Office of Prosecution Services (MOPS)** stated they provide training and continuing legal education to Missouri's elected prosecuting attorneys and assistant prosecuting attorneys. Each year, MOPS reviews criminal justice-related legislation enacted by the General Assembly and incorporates those statutory changes into training materials and legislative update presentations provided at statewide conferences and other continuing legal education programs.

To implement the provisions of this legislation, MOPS staff will be required to review the enacted statutory language, analyze the changes for purposes of criminal enforcement and charging decisions, update training materials and presentations, and then deliver the new information to law enforcement officers and prosecutors across the state.

MOPS anticipates that implementation of this legislation would require a modest amount of staff time to review and incorporate the statutory changes into existing training materials. The cost associated with this activity is unknown but expected to be minimal.

MOPS notes, however, that each legislative session produces numerous changes to criminal statutes that must be reviewed and incorporated into statewide training materials. While the fiscal impact of any individual bill is minimal, the cumulative effect of multiple statutory changes is not insignificant.

Oversight does not have any information to the contrary. Therefore, Oversight assumes MOPS will be able to perform any additional duties required by this proposal with current staff and resources and will reflect no fiscal impact to MOPS for fiscal note purposes.

Officials from the **Department of Commerce and Insurance, Department of Health and Senior Services, Department of Natural Resources, Department of Labor and Industrial Relations, Missouri Department of Conservation, Missouri Department of Transportation, Missouri National Guard, Office of Administration, Office of the State Treasurer, University of Missouri System, State Tax Commission, Newton County Health Department, Phelps County Sheriff, Branson Police Department, Kansas City Police Department, St. Louis County 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 **St. Louis City Assessor's Office** assumed 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 for these agencies.

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.

Oversight notes this proposal has a delayed implementation date of July 1, 2027, for §§27.117, 565.002, 565.050, 565.052, 565.054, 565.056, 565.072, 565.073, 565.074, 565.076, 565.090, 565.091, 565.225, 565.227, 565.260, 565.400, and 565.405.

Oversight notes this proposal has a delayed implementation date of January 1, 2028, for §§217.362, 217.690, 217.760, 557.011, 557.021, 558.011, 558.019, 558.026, 558.031, 558.046, 559.115, 566.030, 566.060, 566.125, 566.210, 566.211, 568.060, and 589.425.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other cities, various county officials, local public health agencies, local law enforcement, utilities, hospitals, 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.

<u>FISCAL IMPACT – State Government</u>	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2036)
GENERAL REVENUE				
<u>Transfer Out – (\$56.265) from General Revenue p.4-5</u>	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<u>Cost – OSCA (\$211.071) To staff and maintain juvenile detention centers p.6</u>	(Unknown)	(Unknown)	(Unknown)	(Unknown)
<u>Savings/Cost – DOC (§§211.071, 556.061, 558.011, 558.016, 565.090, 565.091, 565.260, 565.405, 573.570, 573.575, 577.800 and 632.585) p.18</u>				
Personal Service	\$0	(\$208,132)	(\$630,648)	(\$1,126,880)
Fringe Benefits	\$0	(\$149,708)	(\$453,619)	(\$810,560)
Equip. & Exp.	\$0	(\$46,950)	(\$111,159)	(\$86,677)
<u>Total Costs - DOC</u>	<u>\$0</u>	<u>(\$404,790)</u>	<u>(\$1,195,426)</u>	<u>(\$2,024,117)</u>
FTE Change - DOC	0 FTE	4 FTE	12 FTE	20 FTE
<u>Savings/Cost - DOC (§§211.071, 556.061, 558.011, 558.016, 565.090, 565.091, 565.260, 565.405, 573.570, 573.575, 577.800 and 632.585) Incarceration costs p.18</u>	(\$266,952)	\$1,021,091	\$5,172,849	(\$24,060,356)
<u>Cost – Cost of a new DOC prison & operations p.19-20</u>	\$0	\$0	(Likely to exceed \$875,000,000)	\$0

<u>FISCAL IMPACT – State Government</u>	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2036)
<u>Revenue Gain – DOR</u> (\$211.342) 1% administration fee on county sales tax to fund a new Juvenile Detention Center p.7-8	\$0	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
<u>Cost – DSS (\$211.342)</u> Costs related to juvenile facilities p.8	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<u>Cost – OSCA</u> (\$455.098) Technological modifications to the SMC System and potential increase in other court expenditures p.8	(\$750,000 to greater than \$1,000,000)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<u>Cost – MHP (§§577.800, 589.900, 589.902) p.14</u>				
Personal Service	(\$221,808)	(\$226,244)	(\$230,769)	(\$265,081)
Fringe Benefits	(\$195,391)	(\$199,298)	(\$203,284)	(\$233,509)
Exp. & Equip.	(\$206,839)	(\$53,784)	(\$53,784)	(\$53,784)
<u>Total Costs – MHP</u>	<u>(\$624,038)</u>	<u>(\$479,326)</u>	<u>(\$487,837)</u>	<u>(\$552,374)</u>
FTE Change – MHP	2 FTE	2 FTE	2 FTE	2 FTE
<u>Cost – MHP (§§577.800, 589.900 and 589.902)</u> Counter Drone Equipment Maintenance Fees p.14	\$0	(\$193,469)	(\$193,469)	(\$193,469)
<u>Cost – DPS/DO</u> (\$590.192) p.15				
Personal Service	(\$76,798)	(\$94,001)	(\$95,881)	(\$110,137)
Fringe Benefits	(\$44,502)	(\$54,143)	(\$54,899)	(\$63,062)
Exp. & Equip.	(\$7,223)	\$0	\$0	\$0
<u>Total Costs - DPS/DO</u>	<u>(\$128,523)</u>	<u>(\$148,144)</u>	<u>(\$150,780)</u>	<u>(\$173,199)</u>

<u>FISCAL IMPACT – State Government</u>	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2036)
FTE Change - DPS/DO	1 FTE	1 FTE	1 FTE	1 FTE
<u>Cost – DMH (\$632.590) Outpatient services p.17-18*</u>	(Unknown)	(Unknown)	(Unknown)	(Unknown)
<u>Cost – SPD (various sections) Potential increase in representation costs p.11-12</u>	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
ESTIMATED NET EFFECT ON GENERAL REVENUE	(\$2,019,513 to Unknown)	(More or less than \$204,638)	(More or less than \$871,854,663)	(More or less than \$27,003,515)
Estimated Net FTE Change on General Revenue	3 FTE	7 FTE	15 FTE	23 FTE
MISSOURI STATE PROSECUTORIAL SERVICES GRANT FUND				
<u>Transfer In – (\$56.265) from General Revenue p.4-5</u>	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
<u>Transfer Out – (\$56.265) To counties p.4-5</u>	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
ESTIMATED NET EFFECT ON THE MISSOURI STATE PROSECUTORIAL SERVICES GRANT FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – State Government</u>	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2036)
FEDERAL FUNDS				
<u>Revenue Gain – DMH (\$632.590) Outpatient services p.17-18**</u>	Unknown	Unknown	Unknown	Unknown
<u>Cost – DMH (\$632.590) Outpatient services p.17-18**</u>	(Unknown)	(Unknown)	(Unknown)	(Unknown)
ESTIMATED NET EFFECT ON FEDERAL FUNDS	\$0	\$0	\$0	\$0

*Costs to DMH are unknown but could exceed \$250,000 annually.

**Revenue gain and costs to DMH are unknown but could exceed \$250,000 annually and net to \$0.

<u>FISCAL IMPACT – Local Government</u>	FY 2027	FY 2028 (6 Mo.)	FY 2029	Fully Implemented (FY 2036)
LOCAL POLITICAL SUBDIVISIONS				
<u>Transfer In – (\$56.265) To counties to supplement 3rd and 4th class counties salaries for prosecuting attorneys p.4-5</u>	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
<u>Cost – City of St. Louis (\$57.540) Attorney’s salary set by the Sheriff of the City of St. Louis p.5</u>	(Unknown)	(Unknown)	(Unknown)	(Unknown)
<u>Cost – (various sections) For an increase in juvenile detentions p.7-8</u>	(Unknown)	(Unknown)	(Unknown)	(Unknown)

<u>FISCAL IMPACT – Local Government</u>	FY 2027	FY 2028 (6 Mo.)	FY 2029	Fully Implemented (FY 2036)
<u>Revenue Gain</u> - Counties (§211.342) Sales tax to fund a new Juvenile Detention Center for the county p.7-8	\$0	\$0 or <u>Unknown</u>	\$0 or <u>Unknown</u>	\$0 or <u>Unknown</u>
ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	(Unknown) to <u>Unknown</u>	(Unknown) to <u>Unknown</u>	(Unknown) to <u>Unknown</u>	(Unknown) to <u>Unknown</u>

FISCAL IMPACT – Small Business

Small businesses could be impacted from this proposal if a new sales tax is voted in to fund a new Juvenile Detention Center. (§211.342)

Community providers may see an increase in business from court-ordered treatment. (§§632.580, 632.585, 632.590, 632.593, 632.595, 632.600, 632.605 and 632.610)

FISCAL DESCRIPTION

PROSECUTING ATTORNEYS (Sections 27.117 and 56.265)

This bill authorizes prosecuting or circuit attorneys to request assistance from the Attorney General to prosecute individuals for violations of harassment in the first degree, harassment in the second degree, stalking in the first degree, stalking in the second degree, cyberharassment, cyberstalking, disclosure of an intimate digital depiction, or sadistic online exploitation, if the violation occurred in more than one jurisdiction in the State.

Currently, the salary schedule for county prosecuting attorneys excludes charter counties. The bill includes prosecuting attorneys in chartered counties. The bill repeals the existing salary schedule for prosecutors in different classes of counties and replaces it with a flat percentage for prosecutors in the different class counties. For prosecutors of first or second class counties or of the City of St. Louis, the salary will be equal to 100% of the compensation of a circuit judge; for prosecutors in third or fourth class counties, compensation will be equal to 100% of the compensation of an associate circuit judge or, upon approval by a majority of the county commission, the prosecuting attorney will receive compensation equal to 95% of the compensation of a circuit judge. Upon approval by a majority of the county commission, a part-time prosecuting attorney will receive compensation equal to between 30% and 60% of the compensation of an associate circuit judge. The bill allows a county with a vacancy in the office of prosecuting attorney for more than 60 days to consolidate with one contiguous county with a

sitting prosecuting attorney upon a unanimous vote of the county commissions of the relevant counties to establish a cooperative regional prosecuting attorney's office at any time. The prosecuting attorney of the contiguous county will then become the prosecuting attorney of that region for the remainder of that attorney's term in office or until the Governor appoints a prosecutor to fill the vacant position. Regional prosecuting attorneys will be designated full-time prosecuting attorneys and will be compensated as provided in this Section. No two counties that each have a sitting prosecuting attorney will be allowed to consolidate.

The bill creates the "Missouri State Prosecutorial Services Grant Fund" and moneys in the Fund will be used for prosecutor salaries and will be allocated to counties of the third and fourth classification on the basis of need in order for the counties to be in compliance with the provisions of this Section.

FINGERPRINTING OF JUVENILES (Section 43.503)

Currently, an arresting officer is required to take fingerprints to be sent to the central repository if an individual under 17 years of age, 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.

This bill requires that an officer take fingerprints from an individual under 18 years of age for an offense that would be one of the following if committed by an adult:

- (1) A class A or B felony;
- (2) A felony sexual offense; or
- (3) Two felony offenses arising from distinct acts committed within one year of each other.

This bill also repeals a provision that requires fingerprint cards to be made in a manner that does not reveal the juvenile's name to the central repository. Records of a juvenile who has been fingerprinted must be closed records.

SHERIFF OF ST. LOUIS (Section 57.540)

Currently, compensation for the attorney for the sheriff of the City of St. Louis must be not less than \$3,000 and not more than \$15,000 per year. This bill provides that the sheriff will set the rate of compensation for the attorney, and the attorney will be employed at the pleasure of the sheriff.

JUVENILE DETENTION (Section 211.021, 211.331, 211.341, 211.342, & 211.436)

The bill defines "juvenile detention facility" and specifies that such facilities do not include a jail or other adult detention facility unless the juvenile is 18 years of age or older or unless the juvenile detention facility is operated, administered, and staffed separately and independently of a jail or other adult detention facility and used exclusively for the lawful custody and treatment of juveniles. A juvenile detention facility may be located in the same building or on the same grounds as a jail or other adult detention facility if there is specified separation between the

facilities, programs, and staff for adults and juveniles. The facility can be owned or operated by public or private agencies.

Currently, circuit judges of a judicial circuit can establish a place of juvenile detention for the counties within the circuit court. This bill allows, in the alternative, the governing body of a county to provide for juvenile detention in coordination with all other counties within the same circuit court or with all counties of the same circuit court and all counties of an adjoining circuit court. The county governing body must approve an ordinance, order, or resolution authorizing a place of detention, must approve an agreement between the counties, as specified in this bill, and must notify the presiding circuit judge.

The operation and support of a juvenile detention facility authorized pursuant to this bill must be regulated in accordance with the rules and standards of the Supreme Court of Missouri under the governance of the circuit judge. If two or more counties of adjoining judicial circuits have authorized a place of detention, the circuit judges must jointly govern the affairs of the place of detention. Furthermore, the counties authorizing a place of detention pursuant to this Section may impose, by order, a sales tax up to 1% on all retail sales after receiving voter approval, and the proceeds of the sales tax must be used for providing a juvenile detention facility while the tax is in effect, as specified in the bill.

This bill repeals a provision in a different truly agreed to and finally passed bill from this legislative session that provides that a child must not be placed in leg restraints unless the child is charged with a class A or class B felony or is determined to be an immediate safety or flight risk by the official overseeing his or her custody.

CERTIFICATION OF A JUVENILE AS AN ADULT (Section 211.071)

Currently, if a petition or motion to modify alleges that a child between 14 and 18 years of age has committed a felony offense, the court may, upon its own motion or motion by the juvenile officer, the child, or the child's custodian, order a hearing, and exercise its discretion to dismiss the motion or petition to modify and order the child to the court of general jurisdiction.

This bill modifies the provision so that it applies only to offenses that are a class A or B felony, a felony sexual offense, or three felony offenses arising from distinct acts committed within 180 days of each other. Under this provision, the office of the prosecuting or circuit attorney will also have the authority to make such a motion and present evidence at any hearing held on its motion.

The bill provides that, when a juvenile officer forwards to the prosecuting attorney a class A or B felony that is not certified, the prosecuting attorney must notify the juvenile officer within 14 days of the decision to certify the case. The prosecuting attorney has only 14 days to file the motion to certify.

Currently, the juvenile officer may consult with the prosecuting attorney concerning any offense for which the child could be certified as an adult. This bill requires the juvenile officer to consult with the prosecuting or circuit attorney. Additionally, the prosecuting or circuit attorney must be

provided with police reports, reports of the juvenile or deputy juvenile officer, statements of witnesses, a copy of the completed Missouri Juvenile Detention Assessment Form (JDTA) that was used in determining detention, and all other records or reports relating to the offense alleged to have been committed by the child. Use of the JDTA to determine that a child may be held will be used as a guideline and not be mandatory.

Under this bill, the juvenile officer must consider all legally sufficient charges submitted by law enforcement when utilizing the JDTA form and must provide a copy of the form to the law enforcement agency once a determination has been made.

The bill requires law enforcement agencies who detain juveniles for offenses where fingerprinting is required to collect fingerprints and forward detention information to the central repository. Juvenile officers and the courts of jurisdiction over juvenile offenders must share adjudication, delinquency, and custody information with the Missouri Uniform Law Enforcement System, and such information must be accessible by criminal justice and law enforcement agencies. Such records maintained by the central repository must be closed.

JUVENILE COURT PROCEEDINGS (Section 211.319)

This bill provides that juvenile court proceedings for criminal offenses will not be open to the general public.

PRISON TERMS (Section 217.362, 217.690, 217.760, 557.011, 557.021, 558.011, 558.016, 558.019, 558.026, 558.046, 559.115, 566.060, & 566.125)

The bill repeals provisions that do not consider an offender's first incarceration in a Department of Corrections long-term substance abuse program or 120-day program as a previous prison commitment for the purpose of determining a minimum prison term.

Currently, any felony offense that is defined outside of this code without a penalty provision is a class E felony. This bill adds that any such offense must also be subject to the imprisonment terms of Chapter 558, RSMo.

Currently, when a person is found guilty of a felony and sentenced, there is a certain percentage range of the sentence that must be served prior to parole eligibility.

This bill repeals such provisions and provides that offenders must serve the following percentage of the imposed term prior to eligibility for parole based upon the felony classification as follows:

Class A: 70%

Class B: 50%

Class C:

(1) 40% for an offense that requires registration as a sex offender;

(2) 30% for a first offense that does not require registration as a sex offender;

(3) 35% for a second such offense; and

(4) 50% for a third or subsequent such offense

Class D:

(1) 25% for an offense that requires registration as a sex offender;

(2) 20% for a first offense that does not require registration as a sex offender;

(3) 25% for a second such offense; and

(4) 50% for a third or subsequent such offense

Class E:

(1) 25% for an offense that requires registration as a sex offender;

(2) 15% for a first offense that does not require registration as a sex offender;

(3) 20% for a second such offense; and

(4) 50% for a third or subsequent such offense

This bill also removes references to the minimum percentage ranges and replaces them with references to the eligibility percentages established in these provisions. This bill requires a person who is sentenced to concurrent sentences to serve the minimum required percentage of the longest sentence prior to parole eligibility. A person who is sentenced to consecutive sentences must serve the minimum percentage for each felony prior to parole eligibility.

Currently, there are certain offenses that contain higher parole eligibility percentages than those listed above. These higher percentages are unaffected by these new eligibility percentages, as are offenses where a suspended imposition of sentence is imposed or where the matter is referred to an adult treatment court. This bill instead requires a person that is sentenced to the term of imprisonment for a higher class than the one for which he or she was found guilty due to his or her status as a prior or persistent offender, to serve the parole eligibility percentage of the higher class.

Any person found guilty of a dangerous felony must serve 85% of the imposed sentence prior to parole eligibility. This bill provides that a sentence of life imprisonment will be calculated to be 30 years. Any sentence either alone or in the aggregate with other consecutive sentences for offenses committed near the same time that is over 75 years will be calculated to be 75 years.

Currently, a court may sentence a person to an extended term of imprisonment if certain conditions are met. This bill requires that the court sentence a person to an extended term of imprisonment if certain conditions are met.

PROTECTION ORDERS (Sections 455.050 and 455.098)

This bill adds cyberstalking to the list of offenses for which a full or ex parte order of protection may be granted to a petitioner.

The bill gives a court jurisdiction to, upon the request of a victim or prosecuting or circuit attorney at the time of sentencing, enter a lifetime protection order restraining or enjoining the defendant from contacting the victim if the defendant has been found guilty of a dangerous felony. The bill describes the effect and process for implementing such a protection order.

SEX OFFENDER REGISTRY (Sections 43.500, 43.503, 43.506, 43.509, 43.526, 43.530, 527.270, 589.400, 589.401, 589.403, 589.404, 589.405, 589.407, 589.410, 589.411, 589.412, 589.413, 589.414, 589.415, 589.417 & 589.425)

The bill prohibits a person required to register on the Missouri sex offender registry from changing his or her name while required to register. Additionally, the person's biological sex as designated on the birth certificate will be listed as the person's sex on the registry.

The bill moves references to the Highway Patrol's role in maintaining the sex offender registry from Chapter 43 to 589, so it is with the other sections related to the registry.

This bill modifies provisions relating to the sex offender registry. Instead of listing certain sexual offenses, this bill provides that any person who, since July 1, 1979, has been or is adjudicated for a tier I offense, tier II offense, or tier III offense in this state or in any other state, territory, the District of Columbia, foreign country, or federal, tribal or military jurisdiction will be required to register as a sex offender.

Offenders will be classified as a tier I, tier II, or tier III offender. To the extent more than one tier definition applies, the highest tier will be the applicable tier for the offender. This bill also provides that certain juvenile offenders and certain offenders who live or work in Missouri with registration requirements by other jurisdictions will be assigned a tier, which will be only for the purposes of registration appearance frequency and removal eligibility. The initial determination as to the tier will be made by the registration official and the MSHP will analyze the tier designation for accuracy.

This bill additionally provides that any sex offender with a primary residence outside of Missouri who has a temporary residence in Missouri in which he or she resides for more than a part-time period must register for the duration of the offender's temporary residency. This bill also provides that a nonresident sex offender who works or is a nonresident student in this state must register in the county where the status requiring registration occurs for the duration of the offender's employment or attendance at any school of higher education as long as the status requiring registration remains active.

The jurisdiction, in addition to the Attorney General, can certify appropriate sex offender treatment programs for purposes of reductions in registration periods. Additionally, if records of

program completion are unavailable, and completion of the program that was required as a term of probation, an order discharging the sex offender from probation, or other record acknowledging satisfactory completion of probation will constitute evidence of successful competition.

This bill modifies provisions relating to removal from registration for a person required to register because of an offense adjudicated in another jurisdiction. The person must file the petition or complaint for removal, termination, or relief from registration, or the declaratory judgment providing for removal, termination, or relief, instead of filing a petition for removal, according to the laws of the adjudicating jurisdiction. Upon the entry of a judgment, rather than a grant of a petition for removal, providing that the person is no longer required to register, the judgment can be registered in this State by providing the information required by current law. Additionally, the person may file a petition for removal from this State's sexual offender registry and satisfy the requirements for removal based on adjudication in another state if certain requirements specified in the bill are satisfied.

Currently, if a petition for removal is denied, no successive petition will be filed for at least five years from the judgment date of a petition. If the denial was based on a statute or law that has since been amended, repealed, or invalidated, a person can file a petition within the five-year period.

This bill repeals the provisions relating to someone being removed from the sex offender registry for certain offenses that were nonsexual in nature as specified in the bill. The bill also modifies the list of offenses that exempts offenders who meet the other requirements provided in current law from registration. An offender will have the burden of proving that the requirements for exemption are met.

The chief law enforcement registration official must enter, rather than forward to MSHP, the completed offender registration forms and related updates into the online sex offender registry within three days. MSHP must ensure the information entered into the registry is accessible through the Missouri Uniform Law Enforcement System and forwarded to the National Crime Information Center. MSHP must also regularly update the web page to remove persons who have been removed or exempted, persons deceased, or persons who have moved out of state. Lastly, this bill modifies certain information related to sex offenders and the metadata of the sex offender registry that is considered as an open or closed record under Missouri Sunshine Law.

The bill adds offenses to the sex offender registry, including grooming or enticement of a minor; possession of child sexual abuse material; nonconsensual dissemination of private sexual images if the victim is 17 years old or under or if coercion of the victim was sexual in nature; and threatening the nonconsensual dissemination of private sexual images if the victim is 17 years old or under or if coercion of the victim was sexual in nature.

The bill makes the offense of failing to register as a sex offender for a third time a class A felony; it is currently an unclassified felony. The bill repeals a statute that allows the chief law

enforcement officer of a county or of St. Louis City to maintain a separate web page that will function as a sex offender registry.

CERTAIN CRIMINAL OFFENSES (Sections 544.667, 565.002, 565.050, 565.052, 565.054, 565.056, 565.072, 565.073, 565.074, 565.076, 565.090, 565.091, 565.225, 565.227, 565.260, 565.400, 565.405, 573.570 & 573.575)

The bill specifies that a person who violates any condition of release that imposes no contact with specific individuals will be guilty of a class A misdemeanor.

The bill adds definitions for "bodily harm", "great bodily harm", "substantial bodily harm", and "technological abuse conduct" to the existing criminal code definitions. The term "bodily harm" replaces the term "physical injury", and the term "great bodily injury" replaces the term "serious physical injury" in the assault statutes.

The bill enhances the penalty for harassment in the first degree to a class D felony if the defendant has been previously found guilty of harassment in the first degree or in the second degree or if he or she has previously been found guilty of an offense in another state that would be harassment in the first or second degree in Missouri. The bill enhances the penalty for harassment in the second degree to a class E felony if the defendant has been previously found guilty of harassment in the first degree or in the second degree or if he or she has previously been found guilty of an offense in another state that would be harassment in the first or second degree in Missouri.

The bill amends the offense of stalking in the first degree to remove disturbs or follows with the intent to disturb another person as an element, remove references to certain courses of conduct and replace with effects on the victim, and include through technological abuse conduct. The bill amends the offense of stalking in the second degree to include engaging in technological abuse conduct to commit the offense, and to replace language related to the intent of the offender with language related to the effect on the victim.

This bill establishes the offense of unlawful tracking of a motor vehicle, which a person commits if the person knowingly installs, conceals, or otherwise places an electronic tracking device in or on a motor vehicle without the consent of all owners of the vehicle.

There are several exceptions to the offense, as described in the bill, including, but not limited to, for the purposes of a criminal investigation, for participation in voluntary usage-based insurance programs, at the discretion of a parent or legal guardian, or if the vehicle is being repossessed.

The offense of unlawful tracking of a motor vehicle is a class A misdemeanor for the first offense and a class E felony for a subsequent offense.

The bill establishes the offense of cyberharassment, which a person commits if he or she purposely or knowingly engages in a threatening, aggressive, or otherwise fear-inducing course of conduct by using digital, internet, or other electronic technology to cause reasonable fear,

alarm, anxiety, undue stress, or terror to others by repeated contact with no legitimate purpose. The first violation of this offense is a class B misdemeanor and a subsequent violation is a class A misdemeanor.

The bill establishes the offense of cyberstalking, which a person commits if he or she purposely or knowingly engages in a threatening, aggressive, or otherwise fear-inducing course of conduct by using digital, internet, or other electronic technology to enhance the ability to intimidate, track, follow, or cause reasonable fear, alarm, anxiety, undue stress, or terror to others. A first violation of this offense is a class A misdemeanor and a subsequent violation is a class E Felony.

The bill also establishes the criminal offense of disclosure of an intimate digital depiction, which a person commits if the person discloses or threatens to disclose an intimate digital depiction: with the intent to harass, annoy, threaten, alarm, or cause harm to the depicted individual; or with the actual knowledge that, or reckless disregard for whether, the disclosure or threatened disclosure will cause harm to the depicted individual.

The bill lists the penalties associated with the offense of disclosure of an intimate digital depiction, as well as whether certain defenses can be applied to the offense.

The bill creates the offense of sadistic online exploitation, which a person commits if he or she uses the internet or engages in physical or non-physical coercion manipulation, or intimidation of a victim for purposes specified in the bill. The offense is a class E felony.

DANGEROUS FELONIES (Section 556.061)

This bill modifies the definition of "dangerous felony" regarding statutory rape in the first degree and statutory sodomy in the first degree. The requirement that the victim of statutory rape in the first degree or sodomy in the first degree be under 12 years of age for the offense to be a dangerous felony is removed. A person found guilty of a "dangerous felony" must serve 85% of the sentence prior to eligibility for parole. Additionally, the bill adds the following offenses to the definition of "dangerous felony":

- (1) Abuse through forced labor;
- (2) Trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor, or the attempt of such offense;
- (3) Trafficking for the purposes of sexual exploitation, or the attempt of such offense, when the offense was effected by force, abduction, or coercion;
- (4) Sexual trafficking of a child in the first degree;
- (5) Sexual trafficking of a child in the second degree;
- (6) Third offense of failing to register as a sex offender; and

(7) Endangering the welfare of a child in the first degree.

JAIL TIME CREDIT (Section 558.031)

This bill modifies jail time credit. This bill requires the form developed by the Office of the State Courts Administrator for offenders committed to DOC to include a sentencing calculation, including jail time credit supplemented by a certificate of a sheriff or custodial officer. The bill further requires the court, when pronouncing a sentence, executing a suspended sentence, or suspending the imposition of a sentence, to record as part of the judgment the number of days before the pronouncement of the sentence that the person was in custody related to the offense. Time in custody related to an offense means the time in which the offense was charged in a criminal proceeding, an arrest warrant was issued and served upon the person, and includes time served on house arrest. Time when a person was out on bond or otherwise released is not to be included.

Under this bill, the court can take judicial notice of any time the defendant has served in custody by comparing arrest warrant service dates with files of release. Any defendant that was held in a juvenile detention facility prior to adjudication to stand trial as an adult may make a motion to receive credit for time served in such facility.

Credit for time spent in prison, jail, or custody after an offense occurs but before commencement of a sentence is currently mandatory and the total amount of credit awarded must not exceed the number of days spent in prison, jail, or custody. The bill removes these two provisions.

Under this bill, a person may challenge jail time credit awarded or not awarded only by filing a petition for a writ of habeas corpus.

SEXUAL OFFENSES (Section 566.030, 566.032, 566.060, 566.103, 566.203, 566.209, 566.210, 566.211, 568.045, 568.060 & 589.425)

Currently, the offense of rape in the first degree has a penalty of five years unless certain factors are present. This bill modifies this provision by classifying it as a class A felony and increasing the penalty to 10 years but not more than 30 years. Currently, if rape in the first degree is an aggravated sexual offense the authorized term of imprisonment is life imprisonment or a term of years not less than 15 years. This bill removes "a term of years not less than 15 years" and adds "life imprisonment without eligibility for probation or parole."

Currently, a person that was found guilty of rape in the first degree when the child was less than 12 years old, was not eligible for probation or parole until the offender has served at least 30 years of their sentence or has reached the age of 75 years and served at least 15 years of their sentence. This bill removes the eligibility for probation or parole.

The authorized term of imprisonment for statutory rape in the first degree, currently, is life imprisonment or a term of not less than five years. This bill increases the term to not less than 10

years. Currently, if statutory rape is an aggravated sexual offense the penalty is life imprisonment or a term of years not less than 10 years. This bill increases the term to not less than 15 years.

Currently, a person that is found guilty of sodomy in the first degree when the child was less than 12 years old, must be sentenced to life imprisonment and is not eligible for probation or parole until the offender has served at least 30 years of their sentence or has reached the age of 75 years and served at least 15 years of their sentence. The bill removes the eligibility for probation or parole.

Currently, the offense of promoting online sexual solicitation is an unspecified felony punishable by a fine. This bill provides that the offense must be a class E felony, and is punishable by imprisonment, fine, or both.

Currently, the offense of abusing an individual through forced labor carries a penalty of five years to life imprisonment if death results from the offense or if the offense includes kidnapping or an attempt to kidnap, sexual abuse punishable by a class B felony, or an attempt to kill. This bill increases the penalty to 10 years to life imprisonment.

This bill adds "intoxicating or inhibiting substances" to the list of means a person can use to commit the offense of trafficking for the purposes of sexual exploitation.

Currently, the offense of sexual trafficking of a child in the second degree if effected by force, abduction, or coercion, carries a penalty of life imprisonment without eligibility for parole until the defendant has served at least 25 years. This bill modifies that provision by requiring that the defendant serve at least 85% of a life sentence.

Currently, a person commits the offense of endangering the welfare of a child if the person commits certain acts regarding a child that is less than 17 years old. This bill provides that a person commits the offense of endangering the welfare of a child if they commit certain acts regarding a child that is less than 18 years old.

Currently, the offense of abuse or neglect of a child is a class D felony without eligibility for probation, parole, or conditional release until the defendant has served at least one year of their sentence. The bill removes the provision specifying probation, parole, or conditional release requires the defendant to serve one year of such sentence.

This bill classifies failing to register a sex offender as a third offense as a class A felony. Currently, a person convicted of failing to register a sex offender as a third offense is eligible for conditional release of parole after serving at least two years of imprisonment. This bill repeals that provision.

UNMANNED AIRCRAFT (Sections 577.800, 589.900 & 589.902)

Currently, a person commits the offense of unlawful use of an unmanned aircraft if he or she operates an unmanned aircraft within a certain distance from an open-air facility. Currently, the

definition of "open-air facility" includes entertainment facilities with a capacity of 5000 people or more. This bill expands that definition to entertainment facilities with a capacity of 500 people or more.

The bill amends the offense of unlawful use of an unmanned aircraft to include when a person uses an unmanned aircraft within the boundary of a critical infrastructure facility or when a person operates an unmanned aircraft within a vertical distance of 400 feet from the ground and within the property line of a critical infrastructure facility to commit a crime.

Currently, an employee of an open-air facility is permitted to operate an unmanned aircraft at the direction of the president or chief executive officer of the facility. This bill adds owners or operators of the facility, including critical infrastructure facilities, it specifies that it is for the purpose of monitoring, inspecting, operating, or maintaining the facility, and removes the requirement that must be at the direction of the president or chief executive officer of the facility.

The bill adds delivering any explosive device or material to the offense of unlawful use of unmanned aircraft as a class B felony.

This bill authorizes a peace officer certified in accordance with Federal requirements to conduct unmanned aircraft and unmanned aerial system mitigation to take necessary mitigation measures, specified in the bill, in a manner consistent with the Missouri Constitution against an imminent threat posed by an unmanned aircraft system to public safety or when the unmanned aircraft system is involved in criminal activity.

MENTAL HEALTH PROGRAMS FOR FIRST RESPONDERS (Section 590.192)

Under current law, all peace officers and first responders are required to have a mental health check-in with a program service provider once every three to five years. This bill allows a peace officer or first responder to satisfy this requirement or complete a department-established behavioral health or mental health program that meets enumerated requirements. This bill also adds first responder commanding officers to the list of people approved to receive notification that the check-in requirement has been met.

DEPARTMENT OF MENTAL HEALTH (Sections 632.305, 632.489, 632.492, 632.495, 632.504, 632.520, 632.580, 632.585, 632.590, 632.593, 632.595, 632.600, 632.605 & 632.610)

The bill modifies notarization requirements for applications for detention for evaluation and treatment at a mental health facility. Under this bill, no notarization will be required for the application or any affidavits, declarations, or other supporting documents filed under certain provisions of law, including when filed in court by an adult, when a peace officer takes a person into custody for detention at the facility for a period of 96 hours, when a person presents themselves at the facility and the health care provider completes the application, or if the person executing the application is an employee acting on behalf of a hospital.

Currently, if a person determined by a court to be a sexually violent predator is ordered to the Department of Mental Health (DMH), the Director of the Department determines the appropriate

secure facility. This bill adds the Department of Corrections (DOC) as an option for an appropriate secure facility. The bill allows DMH to enter into an interagency agreement with DOC to confine persons determined to be sexually violent predators who have been ordered to DMH or for persons ordered to DMH after a finding of probable cause that the person is a sexually violent predator, as long as DOC has enough space and services available and the Director of DOC has agreed to provide the confinement through an interagency agreement with DMH. The interagency agreement will also be for the control and care, including health care services, of the persons committed to DMH as sexually violent predators. Persons who are under the control and care of DOC under an agreement with DMH must be housed and managed separately from offenders in the custody of DOC and must be segregated from such offenders except for occasional instances of supervised incidental contact. If DMH and DOC have entered into an interagency agreement, DOC is authorized to enter into one or more contract agreements as may be necessary to perform the agreed-upon responsibilities of DOC under the interagency agreement, as provided in the bill. DOC is also authorized to enter into one or more contract agreements with one or more licensed professionals or providers of health care services to provide health care services for the sexually violent predators housed in DOC. DMH is authorized to enter into one or more contract agreements with one or more licensed professionals or providers of health care or mental health care services to provide health care or mental health care services to the persons ordered to DMH as sexually violent predators.

This bill establishes procedures for authorizing or continuing an individual's assisted outpatient treatment. A petition in court for such treatment may be filed by individuals specified in the bill. A court may issue an order requiring the individual to participate in assisted outpatient treatment if the individual is at least 18 years of age, is suffering from a mental disorder, will not obtain treatment in the community voluntarily, and is unable to make an informed decision to see or comply with voluntary treatment. Additional grounds for ordering treatment will consider the necessity of treatment to prevent a deterioration in the individual's mental illness likely to result in harm to the individual or others or the individual's history of lack of compliance with treatment for the illness, as described in the bill.

The bill sets forth the procedures for the hearing process, including the option for a jury trial. If the court or jury finds, by clear and convincing evidence, that the individual meets the criteria for assisted outpatient treatment and that an appropriate mental health program has agreed to accept the individual, the court will issue an order requiring the individual to participate in treatment for a period not to exceed two years, unless extended by the court as described in the bill.

Current provisions of law exempting certain professionals from civil liability for investigating, detaining, transporting, conditionally releasing, or discharging a person will apply to assisted outpatient treatment under this bill.

The court will assign a case manager from a certified community behavioral health clinic to each individual ordered to participate in assisted outpatient treatment. The case manager and individual must report to the court at least once every 90 days.

If a court determines that the individual is not complying with an order of assisted outpatient treatment, the court may order, without a hearing, that the individual be evaluated at a community mental health center, be hospitalized in a psychiatric hospital for a period of not more than 10 days, and potentially be hospitalized for longer upon the recommendation of the community mental health center, provided such extended hospitalization does not exceed the duration of the order for assisted outpatient treatment or 90 days, whichever is less. If the individual objects to such hospitalization, the court will schedule a hearing as described in the bill.

Beginning December 1, 2028, the Office of State Courts Administrator will submit an annual report to the General Assembly regarding certain statistics of individuals receiving treatment under this bill and the impact of such treatment on hospitalization and incarceration rates.

EFFECTIVE DATES (Sections B, C & D)

This bill contains a severability clause, an emergency clause, and two delayed effective dates for various sections.

This legislation is not federally mandated, would not duplicate any other program but may 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 Labor and Industrial Relations
Department of Mental Health
Department of Natural Resources
Department of Revenue
Department of Public Safety –
 Director's Office
 Missouri Highway Patrol
Missouri Department of Conservation
Department of Social Services
Missouri Department of Transportation
Missouri National Guard
Missouri Office of Prosecution Services
Office of Administration
Office of Administration - Budget and Planning
Office of the State Courts Administrator
Office of the Secretary of State
Office of the State Public Defender
Office of the State Treasurer

L.R. No. 6162H.09T

Bill No. Truly Agreed To and Finally Passed CCS for SS for SCS for HCS for HB Nos. 2637 & 3155

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June 26, 2026

State Tax Commission
University of Missouri System
City of Kansas City
City of O'Fallon
City of St. Louis
Newton County Health Department
St. Louis City Assessor's Office
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



Julie Morff
Director
June 26, 2026



Jessica Harris
Assistant Director
June 26, 2026