

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 6183H.011  
 Bill No.: HB 2902  
 Subject: Motor Vehicles; Crimes and Punishment; Boards, Commissions, Committees, and Councils; Law Enforcement Officers and Agencies  
 Type: Original  
 Date: February 22, 2026

Bill Summary: This proposal modifies provisions relating to automobile theft.

**FISCAL SUMMARY**

**ESTIMATED NET EFFECT ON GENERAL REVENUE FUND**

FUND AFFECTED	FY 2027	FY 2028	FY 2029
General Revenue*	(Could exceed \$418,362)	(Could exceed \$441,076)	(Could exceed \$472,239)
<b>Total Estimated Net Effect on General Revenue</b>	<b>(Could exceed \$418,362)</b>	<b>(Could exceed \$441,076)</b>	<b>(Could exceed \$472,239)</b>

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

**ESTIMATED NET EFFECT ON OTHER STATE FUNDS**

FUND AFFECTED	FY 2027	FY 2028	FY 2029
Motor Vehicle Theft Commission Revolving Fund*	\$0	\$0	\$0
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

\*Revenue and costs net to zero.

Numbers within parentheses: () indicate costs or losses.

**ESTIMATED NET EFFECT ON FEDERAL FUNDS**

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

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

FUND AFFECTED	FY 2027	FY 2028	FY 2029
General Revenue (DPS-DO)	1 FTE	1 FTE	1 FTE
Motor Vehicle Theft Commission Revolving Fund (MHP)	1 FTE	1 FTE	1 FTE
<b>Total Estimated Net Effect on FTE</b>	<b>2 FTE</b>	<b>2 FTE</b>	<b>2 FTE</b>

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

**ESTIMATED NET EFFECT ON LOCAL FUNDS**

FUND AFFECTED	FY 2027	FY 2028	FY 2029
<b>Local Government</b>	<b>\$0 to Unknown</b>	<b>\$0 to Unknown</b>	<b>\$0 to Unknown</b>

## FISCAL ANALYSIS

### ASSUMPTION

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

§§570.097, 589.220, 589.222, 589.224, 589.225, 589.226 & 589.227 – Automobile Theft

Officials from the **Department of Public Safety-Missouri Highway Patrol (MHP)** assume Section 589.222.6 directs the Patrol to perform specific duties related to the commission. The Patrol would need one (1) Sergeant to fulfill the duties of this requirement.

**Oversight** does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by MHP.

Oversight notes this proposal establishes a new fund, the Motor Vehicle Theft Commission Revolving Fund, to be funded by appropriations, federal grants, gifts and donations. If there are available funds, the fund is to be used to provide grants to local law enforcement agencies. Oversight will reflect a \$0 (no funds are deposited into the new fund) to an "Unknown" amount of revenue. In addition, Oversight will reflect a transfer to local law enforcement agencies of \$0 (no available funds) to an "Unknown" cost.

Officials from the **Department of Public Safety – Director's Office (DPS-DO)** assume §589.226.1. states there is hereby created in the state treasury the "Motor Vehicle Theft Prevention Commission Revolving Fund", which shall consist of moneys appropriated to it by the general assembly.

§589.225.1 states the executive director of the Department of Public Safety shall promulgate rules for the administration of §§589.220 to 589.227.

DPS-DO assume they will need 1 FTE for these provisions, as well as a one-time cost of \$10,000 for programming.

**Oversight** does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by DPS-DO.

Officials from the **Department of Revenue (DOR)** assume the following regarding this proposal:

### Administrative Impact

### Compliance and Investigation Bureau (CIB)

There is a potential administrative impact to the CIB if a bureau member is elected to serve on the commission board. While any fiscal impact is expected to be minimal, it would primarily relate to the time required to fulfill board responsibilities. At this time, the scope of duties and the time commitment involved are unknown, making it difficult to estimate the extent of the impact.

Additionally, the implementation of the program under §589.224 may result in an increased workload for CIB agents related to investigations of motor vehicle crimes. However, the potential volume and complexity of these cases are currently indeterminate, and DOR is unable to provide a reliable estimate of the time or resources that may be required. If the increase in workload volume is significant, FTE may be requested through the appropriations process.

#### Motor Vehicle Bureau

The department anticipates participation on the commission would require staff time for meeting attendance, policy creation, and interagency collaboration related to the initiatives of the program.

With the creation of the Motor Vehicle Theft Prevention Commission, the Motor Vehicle Bureau could see an increase in submissions of vehicle title, vehicle registration, dealer licensing, and dealer transaction record requests from law enforcement and prosecutors relating to grant-supported investigations. In addition to these requests, the department may require system changes to better align with future theft-prevention policies.

With the inclusion of “local motor vehicle registration agents and title clerks” in proposed §589.224.2, the department also anticipates there will be required participation in fraud detection training, stolen vehicle indicators, recognition of altered VIN or other vehicle documents, etc.

Due to the unknown volume of requests and involvement from MVB, DOR is unable to determine the fiscal impact this will have on department resources. If the increase in workload volume is significant, FTE may be requested through the appropriations process.

**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 this proposal. If multiple bills pass which require additional staffing and duties at substantial costs, DOR could request funding through the appropriation process.

Officials from the **Department of Corrections (DOC)** assume §570.097 creates a class D felony offense when a person knowingly manufactures, sells, offers to sell, transfers, or possesses a motor vehicle key programming or emulating device or a relay attack device, or aids or permits another to use a motor vehicle key programming or emulating device or relay attack device. Any person who fails to report a lost or stolen device shall be guilty of a class A misdemeanor.

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 D felony would be

considered a new crime. As there is little direct data on which to base an estimate, the department estimates an impact comparable to the creation of a new class D 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, 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.

	# to prison	Cost per year	Total Costs for prison	Change in probation & parole officers	Total cost for probation and parole	# to probation & parole	Grand Total - Prison and Probation (includes 2% inflation)
Year 1	3	(\$11,123)	\$ 27,808	0	\$0	5	\$ 27,808
Year 2	6	(\$11,123)	\$ 68,073	0	\$0	10	\$ 68,073
Year 3	8	(\$11,123)	\$ 92,579	0	\$0	16	\$ 92,579
Year 4	8	(\$11,123)	\$ 94,431	0	\$0	19	\$ 94,431
Year 5	8	(\$11,123)	\$ 96,319	0	\$0	22	\$ 96,319
Year 6	8	(\$11,123)	\$ 98,246	0	\$0	22	\$ 98,246
Year 7	8	(\$11,123)	\$ 100,210	0	\$0	22	\$ 100,210
Year 8	8	(\$11,123)	\$ 102,215	0	\$0	22	\$ 102,215
Year 9	8	(\$11,123)	\$ 104,259	0	\$0	22	\$ 104,259
Year 10	8	(\$11,123)	\$ 106,344	0	\$0	22	\$ 106,344

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 information to the contrary and therefore, Oversight will reflect the estimates as provided by DOC.

Officials from the **Office of the State Public Defender (SPD)** state per the National Public Defense Workload Study, the new charge contemplated by the addition of Section 570.097 would take approximately thirty-five 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 one to two attorneys. Because the number of cases that will be filed under this statute 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.

**Oversight** assumes this proposal will create a minimal number of new cases and that the SPD can absorb the additional caseload required by this proposal with current staff and resources. Therefore, Oversight will reflect no fiscal impact to the SPD for fiscal note purposes. However, if multiple bills pass which require additional staffing and duties, the SPD may request funding through the appropriation process.

The **Oversight Division** is responsible for providing a Sunset Report pursuant to Section 23.253 RSMo; however, Oversight can absorb the cost with the current budget authority.

Officials from the **Office of Attorney General (AGO)** assume any potential litigation costs arising from this proposal can be absorbed with existing resources. The AGO may seek additional appropriations if the proposal results in a significant increase in litigation or investigation costs.

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

Officials from the **Department of Commerce and Insurance, Missouri Department of Transportation, Office of the State Courts Administrator, Office of the State Treasurer, Phelps County Sheriff, Branson Police Department, Kansas City Police Department and St. Louis County Police Department** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other local law enforcement agencies were requested to respond to this proposed legislation but did not. Upon the receipt of additional responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval to publish a new fiscal note. A general listing of political subdivisions included in our database is available upon request.

#### Rule Promulgation

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

Officials from the **Office of the Secretary of State (SOS)** note many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$5,000. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with its core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

<u>FISCAL IMPACT – State Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029
<b>GENERAL REVENUE</b>			
<u>Cost – DPS-DO (\$589.225) p.3</u>			
Personal Service	(\$64,284)	(\$78,684)	(\$80,258)
Fringe Benefits	(\$39,468)	(\$47,983)	(\$48,616)
Expense and Equipment	(\$9,917)	(\$9,690)	(\$9,884)
<b>Total Costs – DPS-DO</b>	<b>(\$113,669)</b>	<b>(\$136,357)</b>	<b>(\$138,758)</b>
FTE Change – DPS-DO	1 FTE	1 FTE	1 FTE
<u>Cost – DPS-DO (\$589.225) ITSD cost p.3</u>	(\$10,000)	\$0	\$0
<u>Cost – DOC (\$570.097) Incarceration p.5</u>	(\$27,808 to Unknown)	(\$68,073 to Unknown)	(\$92,579 to Unknown)
<u>Transfer Out – Appropriation to the Motor Vehicle Theft Prevention Commission Revolving Fund</u>	\$0 or (Could exceed \$266,885)	\$0 or (Could exceed \$236,646)	\$0 or (Could exceed \$240,902)
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b>(Could exceed \$418,362)</b>	<b>(Could exceed \$441,076)</b>	<b>(Could exceed \$472,239)</b>
Estimated Net FTE Change to General Revenue	1 FTE	1 FTE	1 FTE
<b>MOTOR VEHICLE THEFT PREVENTION COMMISSION REVOLVING FUND</b>			
<u>Revenue Gain - (\$589.3226) Federal grants, gifts and donations p.3</u>	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Transfer In – Appropriation from General Revenue</u>	\$0 or Could exceed \$266,885	\$0 or Could exceed \$236,646	\$0 or Could exceed \$240,902
<u>Cost – MHP (\$589.226) p.3</u>			
Personal Service	(\$92,420)	(\$113,122)	(\$115,385)
Fringe Benefits	(\$81,413)	(\$99,649)	(\$101,642)
Expense and Equipment	(\$93,052)	(\$23,875)	(\$23,875)

<u>FISCAL IMPACT – State Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029
<u>Total Costs – MHP</u>	(\$266,885)	(\$236,646)	(\$240,902)
FTE Change – MHP	1 FTE	1 FTE	1 FTE
<u>Transfer Out - (\$589.224) To local law enforcement agencies for grants p.3</u>	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<b>ESTIMATED NET EFFECT ON THE MOTOR VEHICLE THEFT PREVENTION COMMISSION REVOLVING FUND</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
Estimated Net Effect on the Motor Vehicle Theft Commission Revolving Fund	1 FTE	1 FTE	1 FTE

<u>FISCAL IMPACT – Local Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029
<b>LOCAL POLITICAL SUBDIVISIONS</b>			
<u>Revenue Gain - (\$589.224) Grants to local law enforcement agencies p.3</u>	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<b>ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS</b>	<b><u>\$0 to Unknown</u></b>	<b><u>\$0 to Unknown</u></b>	<b><u>\$0 to Unknown</u></b>

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

UNLAWFUL USE OF CERTAIN KEY DEVICES (Section 570.097)

This bill provides that the manufacture, sale, attempted sale, transfer, or possession of a motor vehicle key programming or emulating device, or a relay attack device, as such terms are defined in the bill, will be a class D felony.

The bill provides exceptions for certain authorized users. Any authorized user must report a lost or stolen device within 48 hours of becoming aware that the device was lost or stolen. Failure to comply with this reporting requirement will be a class A misdemeanor. MOTOR VEHICLE

#### THEFT PREVENTION COMMISSION ACT (Sections 589.220 to 589.227)

This bill establishes the "Motor Vehicle Theft Prevention Commission Act" and creates the "Motor Vehicle Theft Prevention Program" within the Department of Public Safety.

The bill authorizes law enforcement agencies or other qualified applicants to apply for grants to assist in improving and supporting the Program, or programs for the enforcement of prosecution of motor vehicle theft crimes.

The Program will be overseen by the Motor Vehicle Theft Prevention Commission, which is established by the bill. The Commission will consist of 12 members, with membership composition specified in the bill. The general term of office for each member of the Commission appointed by the Governor will be four years, but initial appointments will be staggered, shorter terms. The State Highway Patrol will provide all administration, management, and organization of the Commission's activities.

The Commission will establish the grant program, promote statewide planning and coordination of the investigation and prosecution of motor vehicle crimes, provide support to local prosecutors, and provide support to multi-jurisdictional task forces, as described in the bill.

The Commission can award grants with a term of up to three years. Any grants awarded pursuant to the bill by the Commission must receive approval from the Director of the Department of Public Safety prior to any allocation. Priority will be given to applications representing multi-jurisdictional programs.

On or before December 1, 2027, any law enforcement agency or other qualified applicant that receives a grant pursuant to the bill must submit a report to the Commission concerning the implementation of the Program funded by the grant.

On or before February 1, 2028, the Commission must report to the General Assembly on the implementation of the programs receiving grants pursuant to the bill, as specified in the bill.

This bill contains a sunset clause.

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

#### SOURCES OF INFORMATION

Department of Public Safety

Director's Office  
Missouri Highway Patrol  
Department of Corrections  
Department of Revenue  
Missouri Department of Transportation  
Office of the State Public Defender  
Office of the Secretary of State  
Joint Committee on Administrative Rules  
Office of the State Courts Administrator  
Attorney General's Office  
Department of Commerce and Insurance  
Branson Police Department  
Phelps County Sheriff  
Kansas City Police Department  
St. Louis County Police Department



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