

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 6221H.011  
 Bill No.: HB 2751  
 Subject: Department of Corrections; Prisons and Jails; Crimes and Punishment; Criminal Procedure  
 Type: Original  
 Date: January 26, 2026

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

**FISCAL SUMMARY**

**ESTIMATED NET EFFECT ON GENERAL REVENUE FUND**

FUND AFFECTED	FY 2027	FY 2028	FY 2029
	(More or less than	(More or less than	(More or less than
General Revenue	\$946,721)	\$1,132,402)	\$1,269,630)
<b>Total Estimated Net Effect on General Revenue</b>	<b>(More or less than \$946,721)</b>	<b>(More or less than \$1,132,402)</b>	<b>(More or less than \$1,269,630)</b>

**ESTIMATED NET EFFECT ON OTHER STATE FUNDS**

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

Numbers within parentheses: () indicate costs or losses.

**ESTIMATED NET EFFECT ON FEDERAL FUNDS**

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

\*Revenue gain and costs are estimated at \$3 million annually and net to zero.

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

FUND AFFECTED	FY 2027	FY 2028	FY 2029
General Revenue	Could exceed 4 FTE	Could exceed 4 FTE	Could exceed 4 FTE
<b>Total Estimated Net Effect on FTE</b>	<b>Could exceed 4 FTE</b>	<b>Could exceed 4 FTE</b>	<b>Could exceed 4 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</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Attorney General's Office** and **Office of Administration** did not respond to **Oversight's** request for fiscal impact for this proposal.

#### §208.247 - Provisions of the Supplemental Nutrition Assistance Program (SNAP)

Officials from the **Department of Social Services (DSS)** state [21 U.S.C. Section 862a\(d\)](#) provides states the option to exempt any or all individuals from prohibition of SNAP eligibility required under [21 U.S.C. Section 862a](#). Currently, Missouri exercises the option to exempt some individuals allowed under [21 U.S.C. Section 862a\(d\)](#) in [208.247 RSMo](#), which provides exemptions for individuals who have been convicted of a felony for drug possession or drug use if they meet certain exemption requirements. Missouri could exercise the option to exempt individuals from prohibition of SNAP eligibility based on the provisions of this legislation for those individuals convicted of any drug related felony.

The number of individuals who would be eligible for SNAP under the provisions of this legislation is unknown. Therefore, for the purposes of this fiscal note, the Family Support Division (FSD) estimates an increase in SNAP benefits in the following manner:

In SFY 25, there were 138 individuals who applied for and were found ineligible for SNAP due to a drug-related felony. As of November 30, 2025, there were a total of 1,297 permanently disqualified due to a drug related felony, who are a member of a household actively receiving SNAP benefits.

In SFY 25, the average monthly SNAP benefit was \$197 per person. Therefore, the FSD estimates an annual increase in SNAP benefits of \$0 to \$3,392,340 [ $1,435 (1,297 + 138) * \$197 * 12 = \$3,392,340$ ]. If this legislation passes, the implementation date is August 28, 2026, therefore the FSD estimates an increase in SNAP benefits of \$2,826,950 [ $1,435 (1,297 + 138) * \$197 * 10 = \$2,826,950$ ] in SFY 2027. Effective FFY 2028, states will be responsible for funding up to 15% of SNAP benefits, which will be determined based on the state's SNAP Payment Error Rate (PER). It is unknown at this time what the match rate for FFY 2028 will be and will not be determined until FFY 2027. Therefore, for purposes of this fiscal note, FSD is using the full 15% match rate to determine the fiscal impact of this legislation. DSS estimates the fiscal impact for the state share of the SNAP benefits to be up to \$381,638 ( $\$1,435 * \$197 * 9 \text{ mos.} * 0.15 = \$381,638.25$ , rounded down) in SFY 2028 and up to \$508,851 ( $\$3,392,340 * 0.15 = \$508,851$ ) in SFY 2029 and ongoing.

There will be increased EBT costs to process the additional SNAP payments to recipients. The cost of EBT services to process each new SNAP case is \$0.43 per month. Since the 1,297 individuals permanently disqualified are members of a household actively receiving SNAP benefits, there would not be additional costs for EBT services for these individuals. The cost

would only apply to the 138 individuals who applied and were found ineligible. If this legislation passes, the earliest implementation date would be August 28, 2026, therefore the additional cost for EBT services would be \$0 to \$593 (138 \* \$0.43 monthly \* 10 months = \$593.40, rounded down) in FFY27. The additional cost for EBT services would be \$0 to \$712 (138 \* \$0.43 monthly \* 12 months = \$712.08, rounded down) in FFY28 and ongoing. At this time, the additional cost for EBT services to process each new SNAP case can be absorbed in the FSD EBT Core Appropriation.

FSD assumes existing staff will be able to complete the necessary work to implement the provisions of the section.

FSD defers to the Office of Administration (OA), Information Technology Services Division (ITSD)/DSS for the system changes necessary to implement the provisions of this section.

SFY 2027: No state impact. Up to \$2,826,950 SNAP Benefits (100% Federally funded through SFY 2027). EBT costs - \$593 (absorbed).

SFY 2028: Up to \$381,638 state impact. Up to \$3,392,340 SNAP Benefits [State share up to 15% - up to \$381,638 (1,435 \* \$197 \* 9 months.)]. EBT costs - \$712 (absorbed).

SFY 2029 and ongoing: Up to \$508,851 state impact. Up to \$3,392,340 SNAP Benefits (State share up to 15% - up to \$508,851). EBT costs - \$712 (absorbed).

**Oversight** does not have information to the contrary and therefore, Oversight will reflect the estimate as provided by the DSS/FSD.

Officials from the OA/ITSD, DSS assume 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 this agency.

Oversight notes that in previous sessions, DSS included an estimate for updates to the Missouri Eligibility Determination and Enrollment System (MEDES) system.

**DSS** officials state that, because DSS leadership is evaluating MEDES, estimate for MEDES has been removed from this year's response.

**Oversight** notes the proposed legislation repeals felony related application processing and verifications required for persons who have pled guilty or nolo contendere to or found guilty under federal or state law of a felony involving possession or use of a controlled substance.

[21 U.S.C. Section 862a\(a\)](#) states:

*An individual convicted (under Federal or State law) of any offense which is classified as a felony by the law of the jurisdiction involved and which has as an element the possession, use, or*

*distribution of a controlled substance (as defined in section 802(6) of this title) shall not be eligible for—*

*(1) assistance under any State program funded under part A of title IV of the Social Security Act [42 U.S.C. 601 et seq.], or*

*(2) benefits under the supplemental nutrition assistance program (as defined in section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012)) or any State program carried out under that Act [7 U.S.C. 2011 et seq.].*

The state option under 21 U.S.C. Section 862a(d)(1) states, “A State may, by specific reference in a law enacted after August 22, 1996, **exempt any or all individuals** domiciled in the State from the application of subsection (a).

#### §558.041 – Earned credits

Officials from the **Department of Corrections (DOC)** state this proposal modifies provisions relating to public safety.

Section 558.041 is modified to stipulate offenders “shall” receive additional credit, and modifies the requirements for such time, to include obtaining a high school diploma or equivalent, completion of a substance use treatment program, and other programs.

Currently, the department does not have an automated system that could track and calculate the earned credits that are described in the legislation. At this time, the department is unsure if an automated system can be created because of the different criteria it takes to calculate earned credit. This is a labor-intensive calculation done by hand by our Records Officer staff. It is unknown to the department how many additional staff may be needed in order to comply with this legislation.

As such, the department is unable to project the impact to the prison population. However, it is assumed the legislation would decrease the number of individuals incarcerated.

**Oversight** does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect a potential cost for the IT system development that could occur in FY 2027 or a potential unknown cost for FTE to handle the calculations. Additionally, as this new program may decrease populations for DOC, Oversight will reflect a potential savings (\$0 or Unknown) in FY 2028 and FY 2029. Oversight notes, in response to other legislation this year, DOC has used a per-inmate cost of \$11,123 to the General Revenue Fund per year.

#### §589.710 – Release of Data on Criminal Activity

**DOC** states Section 589.710 requires the department to share all criminal justice data and records, regardless of its physical form with a bona fide researcher relating to a criminal charge, disposition, or sentence; pretrial or post-trial release from custody, or any terms or conditions of release; participation in correctional or rehabilitative programs; or formal discipline,

reclassification, or relocation of any person under criminal sentence or correctional control. In addition, the department is required to share with a bona fide researcher all criminal justice data and records, including relevant personally identifying information and demographic information, held by that agency that is subject to mandatory or discretionary disclosure to any member of the public and not otherwise closed pursuant to chapter 610.

The collection and sharing of criminal justice data would require additional FTE for the department to be compliant with this new legislation. It is unknown how many additional FTE the department will need to fulfill these data requests; therefore, it is estimated to be an unknown cost.

In addition, the department could be required to release data that includes any closed/confidential information that affects the safety and security of our institutions. This could increase the number of litigations filed against the department; therefore, the department is unable to project a fiscal impact at this time.

**Oversight** has no information to the contrary. Therefore, Oversight will present the fiscal impact of this proposal as provided by DOC. It is assumed unknown costs will exceed \$250,000 annually.

Officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** state since this legislation limits only the release to "bona fide researchers" this could be a substantial number of requests. The Patrol has millions of records in various systems and depending on the request by the researcher, it could take days to weeks to process the requests since the MHP may have to extract records from various systems and merge them together. The current language doesn't limit the data that can be requested and could cover any law enforcement stop, search or seizure as well as arrests, citations or warrants. This data could include video and audio requests. For a large data request, a Data Specialist may be able to process 1 request a week, medium data requests would be 2 requests per week, and small data requests could be up to 4 a week. Since the number and size of the requests are unknown, the MHP's best estimate for workload is that most of the requests will be medium to large. It is further anticipated that the Patrol would receive 50-100 requests per year.

Additionally, each full-time Program Assistant in the Patrol's Custodian of Records section processes approximately 785 record requests annually. Considering the requests received by researchers are often large and voluminous, the average time spent to process each request will greatly increase. Based upon this factor, it is anticipated that the Patrol would need three (3) additional Program Assistants and one (1) Database Specialist to handle the additional requests for records.

Additional fees will be collected for the time needed to locate requested records, however these fees do not adequately cover the personnel costs. Governmental agencies may not charge entities and requestors for redaction of information pursuant to the Driver's License Privacy Protection Act. This constitutes the majority of the time spent reviewing and redacting requests.

**Oversight** has no information to the contrary. However, since it is unknown how many data requests MHP may receive annually, Oversight will range the fiscal impact as “Up to” the amount/FTE provided by the Patrol.

Oversight notes provisions in §589.710.3(2) provide that an agency may assess reasonable fees, not to exceed actual costs, for the retrieval of information. For fiscal note purposes, Oversight will range fee revenue as \$0 or Unknown to General Revenue as fees may be waived by the agency.

Officials from the **Office of State Courts Administrator (OSCA)** state there may be some impact 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 impact on their organization although it can't be quantified at this time. As OSCA is unable to provide additional information regarding the potential impact, Oversight assumes the proposed legislation will have a \$0 or (Unknown) cost to the General Revenue Fund. For fiscal note purposes, Oversight also assumes the impact will be under \$250,000 annually. If this assumption is incorrect, this would alter the fiscal impact as presented in this fiscal note. If additional information is received, Oversight will review it to determine if an updated fiscal note should be prepared and seek approval to publish a new fiscal note.

#### Responses regarding the proposed legislation as a whole

Officials from the **Missouri Office of Prosecution Services (MOPS)** state the proposal will have no measurable fiscal impact to the Missouri Office of Prosecution Services.

Officials from the **Department of Health and Senior Services, Department of Mental Health, Department of Natural Resources, Department of Public Safety – (Division of Alcohol and Tobacco Control, Capitol Police, Fire Safety, and Office of the Director), Missouri Department of Conservation, University of Missouri System, City of Kansas City, Phelps County Sheriff's Department, Branson Police Department, Kansas City Police Department, St. Louis County Police Department, Northwest Missouri State University, and University of Central Missouri** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

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

<u>FISCAL IMPACT – State Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029
<b>GENERAL REVENUE</b>			
<u>Cost</u> – DSS/FSD (§208.247) SNAP benefits p.3-5	\$0	(Up to \$381,638)	(Up to \$508,851)
<u>Savings</u> - DOC (§558.041) Potential impact to the population relating to good time credit p.5	\$0	\$0 or Unknown	\$0 or Unknown
<u>Cost</u> – DOC (§558.041) Calculation of good-time credits p.5	(Unknown, could exceed \$250,000)	(Unknown)	(Unknown)
<u>Revenue Gain</u> – Various State Agencies (§589.710) Fees charged for criminal data retrieval p.7	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
<u>Cost</u> – DOC (§589.710) FTE, fringe benefits, E&E needed to gather various data for researchers p.5-6	(Unknown, greater than \$250,000)	(Unknown, greater than \$250,000)	(Unknown, greater than \$250,000)
<u>Cost</u> – MHP (§589.710) p.6-7	Up to...	Up to...	Up to...
Personal Service	(\$217,513)	(\$266,236)	(\$271,561)
Fringe Benefits	(\$191,607)	(\$234,528)	(\$239,218)
Expense & Equipment	(\$37,600)	\$0	\$0
<u>Total Costs</u> – MHP	(Up to \$446,721)	(Up to \$500,764)	(Up to \$510,779)
FTE Change – MHP	Up to 4 FTE	Up to 4 FTE	Up to 4 FTE
<u>Cost</u> – OSCA (Various sections) Potential increase in court costs p.7	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b>(More or less than \$946,721)</b>	<b>(More or less than \$1,132,402)</b>	<b>(More or less than \$1,269,630)</b>
Estimated Net FTE Change on General Revenue	Could exceed 4 FTE	Could exceed 4 FTE	Could exceed 4 FTE

<u>FISCAL IMPACT – State Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029
<b>FEDERAL FUNDS</b>			
<u>Revenue Gain</u> – DSS/FSD (§208.247) Reimbursement for SNAP benefits p.3-5	\$2,826,950	More than \$3,010,702	More than \$2,883,489
<u>Cost</u> - DSS/FSD (§208.247) SNAP benefits p.3-5	(\$2,826,950)	(More than \$3,010,702)	(More than \$2,883,489)
<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

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

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

**PUBLIC ASSISTANCE BENEFITS (Section 208.247)**

The bill repeals current provisions of law allowing for individuals convicted of certain drug offenses to participate in the Supplemental Nutrition Assistance Program (SNAP) only if certain conditions are met.

Under this bill, individuals who are convicted of a state or federal felony drug offense cannot be excluded from SNAP because of the conviction.

**GOOD TIME AND EARNED TIME CREDIT (Section 558.041)**

Currently, offenders in the Department of Corrections may earn time credited off the end of their sentences for serving their sentences in an orderly and peaceable manner and taking advantage of the available rehabilitation programs.

This bill requires the Director of the Department to issue a policy for good time credit and, separately, earned time credit.

Any major conduct violation of institutional rules, violation of law, parole revocation, or the accumulation of six or more minor conduct violations in a calendar year will result in the loss of all prior credit earned by the offender.

Good time credit will be awarded to offenders who serve their sentences in a peaceable manner and display exemplary compliance with institutional disciplinary regulations. An offender can receive up to 54 days of good time credit toward the service of a sentence per year.

Earned time credit will be awarded to offenders who participate in qualifying rehabilitation programs and productive activities. For every 30 days of successful participation in rehabilitative programs or productive activities during an offender's term of imprisonment, the offender will earn 10 days of credit toward a sentence. The bill specifies types of programs or activities for which credit can be earned. The Department will specify in its policies which programs will qualify for earned time credit, the criteria for awarding credit, and the criteria for determining completion of the programs.

The bill creates a one-year window for eligible offenders to petition the Department for earned time credit for qualifying programs or activities completed between January 1, 2010, and August 28, 2026. The Department will notify the incarcerated population of the petition process through posted signage, electronic notification, and through staff in all facilities and will provide petition forms to offenders.

Good time credit and earned time credit are not available to offenders sentenced to death or sentenced to life without probation or parole, or offenders serving a sentence of less than one year.

Nothing in this bill should be construed to remove the parole board's discretion in awarding good time credit or earned time credit.

The Department will prepare and submit an annual report to the General Assembly on good time credit and earned time credit.

#### DATA ON CRIMINAL ACTIVITY (Section 589.710)

This bill provides that criminal justice agencies, as defined in the bill, shall share with a bona fide researcher, also defined in the bill, all criminal justice data and records, including relevant personally identifying information and demographic information, held by that agency relating to:

- (1) A law enforcement stop, search, or seizure;
- (2) A warrant, arrest, or citation;
- (3) Participation in a pre-arrest or post-arrest diversion, specialty court, or other alternative resolution program;
- (4) A criminal charge, disposition, or sentence;
- (5) Pretrial or posttrial release from custody, or any terms or conditions of release;

(6) A grant, order, change in the terms of, or termination of pretrial supervised release, probation, parole, or participation in correctional or rehabilitative programs; or

(7) Formal discipline, reclassification, or relocation of any person under criminal sentence or correctional control.

The Attorney General will issue guidance to assist criminal justice agencies in properly complying with the release of data and records by February 28, 2027. A criminal justice agency may assess reasonable fees, not to exceed actual costs, for the data and records.

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 Health and Senior Services

Department of Mental Health

Department of Natural Resources

Department of Corrections

Department of Public Safety –

Alcohol and Tobacco Control

Capitol Police

Fire Safety

Office of the Director

Missouri Highway Patrol

Department of Social Services

Missouri Department of Conservation

Office of the State Courts Administrator

Missouri Office of Prosecution Services

University of Missouri System

City of Kansas City

Phelps County Sheriff

Branson Police Department

Kansas City Police Department

St. Louis County Police Department

Northwest Missouri State University

University of Central Missouri



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January 26, 2026

DD:LR:OD



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