

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 6846H.01I  
Bill No.: HB 3157  
Subject: Food; Health, Public  
Type: Original  
Date: March 9, 2026

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Bill Summary: This proposal creates provisions relating to licensing of mobile food vendors.

**FISCAL SUMMARY**

**ESTIMATED NET EFFECT ON GENERAL REVENUE FUND**

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

**ESTIMATED NET EFFECT ON OTHER STATE FUNDS**

FUND AFFECTED	FY 2027	FY 2028	FY 2029
Missouri Public Health Services Fund (1298)*	\$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 expenses 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 DHSS	10 FTE	10 FTE	10 FTE
<b>Total Estimated Net Effect on FTE</b>	<b>10 FTE</b>	<b>10 FTE</b>	<b>10 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 or (Unknown)</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>

## FISCAL ANALYSIS

### ASSUMPTION

#### §§196.3070 - 196.3112 – Licensing of Mobile Food Vendors

Officials from the **Department of Health and Senior Services (DHSS)** assume the following:

Section 196.3079 of the proposed legislation requires the department to develop an application process for mobile food vendors, including a guide for mobile food vendor licensing procedures.

Section 196.3082 of the proposed legislation requires the department to conduct health inspection of every mobile food unit seeking a license within 14 days of receiving application.

Section 196.3085 of the proposed legislation requires the department to issue mobile food vendor license who meet the application requirements, pay applicable fees, and pass health inspection.

Section 196.3097 of the proposed legislation requires the department to establish by rule a classification schedule for mobile food vendors.

Section 196.3100 of the proposed legislation requires the department to conduct ongoing randomized inspection on mobile food vendors based on classification schedule.

Section 196.3112 of the proposed legislation allows the department to adopt rules to implement section 196.3070-196.3112

The proposed legislation seeks to create a Department of Health and Senior Services (DHSS) mobile food establishment license. Many mobile food establishment vendors operate in several sites throughout the year, attending fairs, festivals, and events as well as operating in other locations. Currently a mobile food vendor must get a separate license/permit when required from each local health agency. This statewide license, once obtained, would allow a mobile food vendor to travel anywhere within Missouri and operate without being required to obtain individual local health agency licenses.

The Bureau of Environmental Health Services (BEHS) oversees food safety operations for the department. Based on a recent survey of local health agencies, there are approximately 4,000 mobile food establishments operating in Missouri. The Department assumes most, if not all, mobile food establishments would apply for a statewide license.

Licensing and maintaining the supporting documentation for these facilities will need the support of: (1) Public Health Environmental Officer, \$67,294 per year.

Conducting the required initial and ongoing inspections of these units will require: (5) Public Health Environmental Specialists, at \$73,788 per year.

Management of the program, along with development of the required application process as well as rules and regulations, will require the experience of: (1) Environmental Program Supervisor, at \$93,931 per year.

The Public Health Environmental Specialists will be remote positions requiring extensive travel, while the Public Health Environmental Officer and Environmental Program Supervisor will be based in the Jefferson City office.

The Department maintains contracts with Local Public Health Agencies (LPHAs) to conduct annual inspections of licensed childcare facilities. DHSS currently reimburses a local public health agency (LPHA) on a per inspection basis, with annual inspections being reimbursed at \$125 per inspection. 4,000 annual inspections at \$125 per inspection results in a need of \$500,000 for LPHA contract payments.

The bureau uses an electronic inspection and data management system to house and maintain its programmatic inspections. A new system would need to be developed and maintained for the Mobile Food Establishment Licensing and Inspection Program. Based on recent system builds, a system of this nature will have a developmental cost of \$300,000 with an annual maintain fee of \$30,000.

In addition to the programmatic needs, the Department of Health and Senior Services, Office of General Counsel would need an additional 1.0 FTE, a Legal Counsel at \$99,201 per year, for the following:

- To represent the department in hearings regarding license discipline against mobile food vendor licensees as described in proposed section 196.3106;
- To represent the department and coordinate with the AGO in efforts to collect penalties assessed against mobile food vendor licensees as described in proposed section 196.3106.

The Division of Administration would need 2.0 FTE, one Procurement Specialist at \$72,264 per year to execute and maintain the inspection contracts and one Accountant at \$67,080 per year to oversee the additional revenues, contract payments and expense report payments.

Section 196.3091 of the proposed legislation allows the department to charge fees for each annual mobile food vendor license required in 196.3085 as well as for each health inspection required by 196.3100 at an amount necessary to cover the cost of administering the program. This will allow DHSS to collect fee revenue sufficient to make the program net neutral, thus resulting in a net zero fiscal impact.

In summary, DHSS assumes a cost for an additional 10 FTE, software development and local public health contracts for annual inspections as a result of the implementation of changes in this proposal at a cost of \$2,040,504 in FY 2027, \$1,955,558 in FY 2028 and \$1,990,802 in FY 2029 to the Missouri Public Health Services Fund (1298).

DHSS also assumes licensing and inspection mobile food unit revenue of \$2,040,504 in FY 2027, \$1,955,558 in FY 2028 and \$1,990,802 in FY 2029.

**Oversight** does not have any information to the contrary. Since this proposal allows the department to charge fees necessary to cover the cost of administering the program, Oversight will reflect the cost and revenue estimates as provided by DHSS, thus resulting in a net zero fiscal impact.

Oversight assumes this proposal could have a fiscal impact on local governments as some cities and counties currently require separate permits, licenses or fees for food trucks operating within their jurisdiction. Since this bill will limit or standardize local licensing, local governments could experience a loss in revenue from permitting or licensing fees that are currently collected from mobile food vendors.

Officials from the **Office of Administration - Administrative Hearing Commission** 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 only reflects the responses that we have received from state agencies and political subdivisions; however, other cities and counties 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>MISSOURI PUBLIC HEALTH SERVICES FUND*</b>			
<u>Revenue – DHSS p.4</u>			
Licensing Fees (§§196.3070-196.3112)	\$2,040,504	\$1,955,558	\$1,990,802
<u>Cost – DHSS (§§196.3070-196.3112)</u>			
Personal Service	(\$640,592)	(\$784,084)	(\$799,766)
Fringe Benefits	(\$393,779)	(\$478,719)	(\$485,026)
Equipment and Expense	(\$206,133)	(\$152,755)	(\$155,810)
<u>Total Cost – DHSS p.4</u>	<u>(\$1,240,504)</u>	<u>(\$1,415,558)</u>	<u>(\$1,440,602)</u>
FTE Change – DHSS	10 FTE	10 FTE	10 FTE
<u>Cost – DHSS</u>			
Software & Local Inspections (§§196.3070-196.3112) p.4	(\$800,000)	(\$540,000)	(\$550,200)
<b>ESTIMATED NET EFFECT ON MISSOURI PUBLIC HEALTH SERVICES FUND</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
Estimated Net FTE Change on General Revenue	10 FTE	10 FTE	10 FTE

\*Revenue and expenses net to zero.

<u>FISCAL IMPACT – Local Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029
<b>LOCAL POLITICAL SUBDIVISIONS</b>			
<u>Revenue Loss – Cities in Jackson County (§§196.3070-196.3112)</u> Potential loss in mobile food unit permits p.3	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
<b>ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS</b>	<b>\$0 or <u>(Unknown)</u></b>	<b>\$0 or <u>(Unknown)</u></b>	<b>\$0 or <u>(Unknown)</u></b>

FISCAL IMPACT – Small Business

Mobile food vendors seeking to do business in St. Charles County, Jefferson County, and St. Louis City are required to get a separate license/permit from each local health agency. This proposed legislation allows the Department of Health and Senior Services (DHSS) to issue mobile food vendor licenses to mobile food vendors who could then travel anywhere within Missouri and operate. Having one license to operate throughout the state will reduce the financial burden of obtaining multiple permits as well as multiple compliance standards. It may also expand the operations of these businesses as the permit allows them to operate anywhere in the state.

FISCAL DESCRIPTION

This bill preempts local ordinances, resolutions, rules, or regulations concerning the licensing or permitting of mobile food vendors or the operation of mobile food units. A person is prohibited from operating as a mobile food vendor in this State unless the person holds a mobile food vendor license issued by the Department of Health and Senior Services.

A separate license is required for each mobile food unit operated, each license is valid throughout the State and authorizes operation in any jurisdiction, subject to compliance with State law. The bill specifies what information is required to be contained in an application for licensure, and the bill requires the Department to develop a guide on mobile food vendor licensing procedures, which guide will be available at the Department's office and on its website. The bill additionally specifies what must be included in the guide.

Within 14 days after the date the Department receives a completed application, the Department or a local authority acting under a collaborative agreement must conduct a health inspection of each of the applicant's mobile food units listed on the application. The bill prohibits the

Department from issuing a license to operate any mobile food unit that does not pass a health inspection.

The Department will issue a license to an applicant who submits a complete application, pays any required fee, and meets licensing requirements, and whose unit passes a health inspection. A license issued under this provision expires on the first anniversary of the date of issuance, and before expiration of a license, the Department is required to send notice of the expiration to the mobile food vendor. A licensed vendor may continue to operate while the application for license renewal is pending.

This license is not transferable and does not authorize the activities of any person other than the individual holding the license. However, the sale of one mobile food unit identified in a vendor license, when replaced by another mobile food unit, does not invalidate the license or require the issuance of a new license. A license holder who replaces one unit with another must provide to the Department certain required information for the replacement unit and ensure that the replacement unit is inspected. The Department may charge a fee for each mobile food vendor license application submitted and each license issued or renewed.

Additionally, the Department may charge a fee for a health inspection of an applicant's mobile food unit, but shall charge a fee for ongoing, randomized inspections that are conducted on each mobile food vendor based on the vendor's classification and previous health inspection results. The bill requires the establishment by rule of classifications of mobile food vendors: (1) Type I for a vendor dispensing prepackaged foods, who does not dispense beverages requiring time or temperature control for safety, and who poses a low risk of harm to the public; (2) Type II for a vendor who dispenses food requiring limited handling and preparation; and (3) Type III for a vendor who prepares, cooks, holds, and serves food from a mobile food unit. If a vendor requires possible reclassification, the vendor must notify the Department of the nature of the food or beverages to be sold.

The Department then may conduct a health inspection and reclassify the vendor if needed. The bill allows the Department to enter into a collaborative agreement with a local authority to conduct health inspections, provided the Department reimburses the local authority for the cost of conducting a health inspection.

The bill requires vendors to make available to the Department a list of all locations at which the vendor intends to operate, to the best of the vendor's knowledge. The Department may investigate a mobile food vendor if there is reasonable suspicion to believe the vendor is violating the law or upon receipt of a health or safety complaint. The vendor is required to cooperate during the investigation; failure to do so may result in suspension or revocation of a license.

The Department may refuse to issue or renew a mobile food vendor license for one or any combination of causes stated in the bill, and must notify the applicant in writing of the reasons for the refusal. The Department must advise the applicant of the right to file a complaint with the

Administrative Hearing Commission. After the filing of the complaint, the proceedings must be conducted in accordance with current law.

The Department may apply to the Commission for an emergency suspension or restriction of a mobile food vendor license if the Department has reasonable cause to believe the license holder's operations pose an imminent threat to public health and safety. The bill specifies the procedure that must be followed, including the submission of supporting affidavits and records, time frames for reviewing the filed complaint, and the process of the evidentiary hearing. The Department may adopt rules to implement the provisions of this bill.

The bill specifies what rules shall not be adopted, including, but not limited to, limiting the number of mobile food vendor licenses to be issued, addressing hours of operation, and requiring a mobile food unit to be in constant motion except when serving customers.

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  
Office of the Secretary of State  
Joint Committee on Administrative Rules  
Office of Administration - Administrative Hearing Commission



Julie Morff  
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Jessica Harris  
Assistant Director  
March 9, 2026