

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 6855H.011
 Bill No.: HB 3105
 Subject: Firearms; Weapons
 Type: Original
 Date: February 17, 2026

Bill Summary: This proposal modifies provisions regarding the rights of firearms owners.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND

FUND AFFECTED	FY 2027	FY 2028	FY 2029
General Revenue*	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
Total Estimated Net Effect on General Revenue	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

*Oversight assumes the total state fiscal impact could exceed \$250,000 threshold.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS

FUND AFFECTED	FY 2027	FY 2028	FY 2029
State Legal Expense Fund (1692)**	\$0	\$0	\$0
Other State Funds*	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
Colleges and Universities*	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
Total Estimated Net Effect on Other State Funds	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

**Transfers and 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
Federal Funds*	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

*Oversight assumes the loss of federal funds could reach the \$250,000 threshold.

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)

FUND AFFECTED	FY 2027	FY 2028	FY 2029
Total Estimated Net Effect on FTE	0	0	0

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

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

ESTIMATED NET EFFECT ON LOCAL FUNDS

FUND AFFECTED	FY 2027	FY 2028	FY 2029
Local Government	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Attorney General's Office**, **Office of the State Courts Administrator**, and **Missouri Office of Prosecution Services** did not respond to **Oversight's** request for fiscal impact for this proposal.

Repeals §§1.410, 1.420, 1.430, 1.440, 1.450, 1.460, 1.470, 1.480, and 1.485 and Implements §§1.451, 1.461, 1.481, and 1.484 – Rights of Firearms Owners

Officials from the **Office of Administration (OA)** state Sections 1.451 and 1.461 of this legislation creates provisions and damages relating to firearm deprival. This has the potential to increase costs to the LEF for actions alleging violation of this provision against a state employee in connection with their official duties on behalf of the state but would be subject to judicial construction; therefore, the cost is unknown.

This legislation does not have a waiver of sovereign immunity.

Oversight does not have any information contrary to that provided by OA. Therefore, Oversight will reflect OA's potential unknown impact for fiscal note purposes to the State Legal Expense Fund. Oversight notes the Legal Expense Fund is funded by the General Revenue Fund as well as other state funds. Oversight notes this possible litigation exposure as described by OA could also apply to colleges and universities, federal funds, as well as local political subdivisions.

Officials from the **Office of Administration - Budget and Planning (B&P)** state Article IX, Section 7 of the Missouri Constitution requires that penalties, forfeitures, and fines collected for violations of state law be distributed to the schools. To the extent any additional such revenues are deposited into the state treasury, TSR may decrease.

Oversight notes that violations of §§1.460 and 1.470 currently result in fines or penalties. Oversight also notes per Article IX Section 7 of the Missouri Constitution fines and penalties collected by counties are distributed to school districts. However, this proposal removes the penalties that are currently imposed under these statutes. Oversight assumes the amount of revenue received from these penalties has been minimal; therefore, for fiscal note purposes, Oversight will reflect no impact to school districts.

Officials from the **Department of Corrections (DOC)** state this proposal modifies provisions regarding the rights of firearms owners.

Section 1.451 stipulates no public officer or employee of this state shall have the authority to knowingly violate a law-abiding citizen's legal rights regarding firearms, firearm accessories, or ammunition.

Section 1.461 stipulates the Attorney General, or the prosecuting attorney, shall have standing to pursue an action for injunctive or other equitable relief in the circuit court.

The department assumes a \$0 impact; however, section 1.461 could create an increase in legal claims against the department. Should this occur, the department could see significant fiscal and operational impacts.

Officials from the **Department of Revenue, Department of Public Safety – (Office of the Director and Missouri Highway Patrol), Department of Social Services, Missouri Department of Conservation, Office of the State Public Defender, City of Kansas City, 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.

In response to similar legislation, SB 955 (2026), officials from the **Department of Labor and Industrial Relations** 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.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other cities, counties, and local law enforcement 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
GENERAL REVENUE			
<u>Transfer Out</u> – OA (§§1.451 and 1.461) To the State Legal Expense Fund for potential increase in litigation p.3	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
STATE LEGAL EXPENSE FUND (1692)			
<u>Transfer In</u> – from General Revenue and other State and Federal funds p.3	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown

<u>FISCAL IMPACT – State Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029
<u>Cost – OA (§§1.451 and 1.461)</u> Potential increase in litigation p.3	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
ESTIMATED NET EFFECT ON THE STATE LEGAL EXPENSE FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
OTHER STATE FUNDS			
<u>Transfer Out – OA (§§1.451 and 1.461)</u> To the State Legal Expense Fund for potential increase in litigation potential increase in litigation p.3	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
ESTIMATED NET EFFECT OTHER STATE FUNDS	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>
COLLEGES AND UNIVERSITIES			
<u>Cost – (§§1.451 & 1.461)</u> Potential increase in litigation p.3	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
ESTIMATED NET EFFECT ON COLLEGES AND UNIVERSITIES	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>
FEDERAL FUNDS			
<u>Transfer Out – OA to the State Legal Expense Fund (§§1.451 and 1.461) To the State Legal Expense Fund for potential increase in litigation p.3</u>	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
ESTIMATED NET EFFECT TO FEDERAL FUNDS	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029
LOCAL POLITICAL SUBDIVISIONS			
<u>Cost</u> - (§§1.451 and 1.461) Potential increase in litigation costs p.3	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

FIREARMS OWNERS RIGHTS

This bill repeals language that was found to be unconstitutional from the "Second Amendment Preservation Act".

This bill states that public officials, employees, and agents of the state of Missouri and any of its political subdivisions have no authority to knowingly violate a law-abiding citizen's legal rights regarding firearms, firearm accessories, or ammunition. Nothing in the provisions of this bill shall prohibit Missouri officials from accepting aid from federal officials or rendering aid to federal officials, nor shall the provisions of this bill prohibit law enforcement from working on federal task forces.

If any law enforcement officer employed by a political subdivision or law enforcement agency commits certain acts, as specified in the bill, while acting under the color of any state or federal law regarding a law-abiding citizen's constitutional rights to bear arms, the political subdivision or law enforcement agency shall investigate such employee for potential discipline, as specified in the bill.

This bill also defines the term "law-abiding citizen" to mean a person who is:

- (1) Eighteen years of age or older;
- (2) Not under criminal investigation for, arrested for, or charged with a criminal offense for which valid probable cause exists;
- (3) Not a danger to themselves or others;
- (4) Not otherwise precluded under state law from possessing a firearm; and
- (5) Legally present in the United States and in the state of Missouri.

This bill further states that providing material aid to federal authorities in the investigation, arrest, detention, or prosecution of any person if there is reasonable suspicion to believe that the person engaged in criminal conduct is not considered a violation of the provisions of this bill.

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 Corrections
Department of Labor and Industrial Relations
Department of Revenue
Department of Public Safety –
 Office of the Director
 Missouri Highway Patrol
Department of Social Services
Missouri Department of Conservation
Office of Administration
Office of Administration - Budget and Planning
Office of the State Public Defender
City of Kansas City
Phelps County Sheriff
Branson Police Department
Kansas City Police Department
St. Louis County Police Department



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