

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 6855H.04C
 Bill No.: HCS for HB 3105
 Subject: Firearms; Weapons
 Type: Original
 Date: March 10, 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 **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 but would be subject to judicial construction; therefore, the cost is unknown.

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.

In response to a previous version, officials from the **Office of Attorney General (AGO)** assumed 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 Labor and Industrial Relations, 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 Courts Administrator, Office of the State Public Defender, City of Kansas City, City of O’Fallon, Phelps County Sheriff, Branson Police Department, and St. Louis County Police Department** each assume the proposal will have no fiscal impact on their respective organizations.

In response to a previous version, officials from the **Kansas City Police Department** 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 – OA (§§1.451 and 1.461)</u> 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>

<u>FISCAL IMPACT – State Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029
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>Cost</u> – OA (§§1.451 and 1.461) 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</u> – OA (§§1.451 and 1.461) 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</u> – (§§1.451 & 1.461) 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>

<u>FISCAL IMPACT – State Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029
FEDERAL FUNDS			
<u>Transfer Out</u> – 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	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
ESTIMATED NET EFFECT TO FEDERAL FUNDS	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(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

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 and willfully violate a law-abiding citizen's legal rights regarding firearms, firearm accessories, or ammunition. Nothing in the provisions of this bill will prohibit Missouri officials from accepting aid from Federal officials or rendering aid to Federal officials, nor will 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 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 must investigate such employee for potential discipline, as specified in the bill. If there is a finding that an officer knowingly and willfully violated clearly established constitutional rights, the employing agency must refer the matter to the Department of Public Safety for review by the Director of the Department for disciplinary action. The Attorney General or the prosecuting attorney of the county in the jurisdiction where an individual has taken action violating the provisions of the bill will have standing to pursue action for injunctive or other equitable relief in the circuit court in Cole County.

This bill also defines the term "law-abiding citizen" to mean a person who is not otherwise precluded from possessing a firearm and is 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

Attorney General's Office
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 Courts Administrator
Office of the State Public Defender
City of Kansas City
City of O'Fallon
Phelps County Sheriff

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Branson Police Department
Kansas City Police Department
St. Louis County Police Department



Julie Morff
Director
March 10, 2026



Jessica Harris
Assistant Director
March 10, 2026