

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 7099H.02C
 Bill No.: HCS for HB Nos. 3292 & 2171
 Subject: Courts; Department of Corrections; Prisons and Jails; Crimes and Punishment;
 Criminal Procedure
 Type: Original
 Date: March 12, 2026

Bill Summary: This proposal establishes the "Motivational Boot Camp Incarceration Program" in the Department of Corrections and allows certain persons to be sentenced to the program.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND

FUND AFFECTED	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2030)
General Revenue*	(\$3,876,691 to Unknown)	(\$4,698,551 to Unknown)	(\$4,745,537 to Unknown)	(\$4,792,992 to Unknown)
Total Estimated Net Effect on General Revenue	(\$3,876,691 to Unknown)	(\$4,698,551 to Unknown)	(\$4,745,537 to Unknown)	(\$4,792,992 to Unknown)

*DOC states this program would require additional substance abuse counselors, behavioral/mental health counselors, correctional case managers, custody supervisors, recreational officers and medical providers based on the intensive nature of the proposed therapeutic interventions and DOC's need to expand to provide these services.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS

FUND AFFECTED	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2030)
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS

FUND AFFECTED	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2030)
Federal Highway Funds*	\$0 or (Up to \$555,876)	\$0 or (Up to \$1,111,753)	\$0 or (Up to \$2,779,382)	\$0 or (Up to \$5,558,765)
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0 or (Up to \$555,876)	\$0 or (Up to \$1,111,753)	\$0 or (Up to \$2,779,382)	\$0 or (Up to \$5,558,765)

*Potential loss of federal highway funds if Missouri is found to be out of compliance with federal rules.

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)

FUND AFFECTED	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2030)
General Revenue*	Unknown FTE	Unknown FTE	Unknown FTE	Unknown FTE
Total Estimated Net Effect on FTE	Unknown FTE	Unknown FTE	Unknown FTE	Unknown FTE

*DOC states this program would require additional substance abuse counselors, additional behavioral/mental health counselors, correctional case managers, custody supervisors, recreational officers and medical providers.

- 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	Fully Implemented (FY 2030)
Local Government	\$0	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§§217.1250 and 557.530 – Motivational Boot Camp Incarceration Program

Officials from the **Department of Corrections (DOC)** state this proposal establishes the “Motivational Boot Camp Incarceration Program” in the Department of Corrections and allows certain persons to be sentenced to the program.

Section 217.1250 would require the Department of Corrections to establish a “Motivational Boot Camp Incarceration Program”. Within this program, eligible individuals 17 to 22 years of age, sentenced under section 557.530, would participate in a program that emphasizes physical activity and conditioning, strong work ethic, and intensive counseling and treatment related to maladaptive criminal and behavioral thinking patterns. Upon satisfactory completion of the program, the program participant would be eligible for release from confinement and the offense for which this individual was sentenced to the boot camp may be expunged from the criminal record.

Based on the intensive nature of the proposed therapeutic interventions such as drug treatment, physical education, and counseling, the department would need to expand our capacity to provide these services. This would include additional substance abuse counselors, additional behavioral / mental health counselors, correctional case managers, custody supervisors, recreational officers and medical providers. Additionally, supplementary staff training may be necessary to ensure compliance with the intensive physical activity and intensive regimentation requirement outlined in this proposed legislation.

Federal Prison Rape Elimination Act (PREA) standards require offenders housed in the DOC under the age of 18 to be sight and sound separated from offenders over the age of 18. After further analysis and based on the language as presently written and federal law related to offender housing, it is assumed the department would need to establish, at minimum, four outfitted units to accommodate the proposed age range in this legislation; two units for those offenders under the age of 18 (one male and one female) and another two units for those between ages 18 to 22 (one male and one female). Based on the establishment of four separate units capable of administering the programming outlined in this legislation, the department estimates the additional staff salaries necessary would be approximately \$2.73 million (fringe benefits not included).

Due to salaries for the staffing necessary to administer this program in four separate units and the various unknown costs associated with the physical space, curriculum development, staff training, and number of potential offender participants who may be sentenced under this provision, the department estimates a \$3,876,691 to an unknown fiscal impact. This amount includes \$1,597,398 in fringe benefits.

Oversight does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect DOC's impact for fiscal note purposes.

Officials from the **Department of Revenue (DOR)** state failure to comply with federal regulations under 49 CFR Section 384 may result in the loss of Federal-aid highway funds apportioned to the State of Missouri or a possible sanction of not allowing Missouri to issue any commercial driver licenses.

Officials from the **Missouri Department of Transportation (MODOT)** state this bill could allow for the expungement of Commercial Motor Vehicle (CMV) disqualifying offenses upon successful completion of the boot camp incarceration program. This could result in a variance with Federal Motor Carrier Safety Regulations (FMCSRs). If prior convictions are wholly expunged from the criminal records, CMV drivers who would be disqualified under 49 CFR 391.15 would be allowed to drive.

If a variance with federal law is found, Federal Motor Carrier Safety Administration (FMCSA) Program funding (MCSAP) could be withheld. Missouri's FY 2026 MCSAP award is anticipated to be around \$11,117,529.

The penalty imposed upon states found to be in noncompliance can be as harsh as withholding all MCSAP funding or potential withholding amounts are as follows:

Year 0 (during the fiscal year FMCSA notifies Missouri of its noncompliance, up to 5%):	\$555,876
Year 1 (next full fiscal year, up to 10%):	\$1,111,753
Year 2 (second full fiscal year, up to 25%):	\$2,779,382
Year 3+ (ongoing until variance resolved, not more than 50%):	\$5,558,765

Oversight does not have information to the contrary and, therefore, Oversight will reflect the potential loss of federal funding as provided by MoDOT. Oversight will reflect the fiscal impact as \$0 (Missouri is not found to be out of compliance) up to the amounts listed above (Missouri is found to be out of compliance of federal rules).

Officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** does not anticipate a fiscal impact. However, in response to a previous version, MHP stated the proposed language in section 557.530.7 references expungement and does not provide the Central Repository with clear instruction on what action to take with the record once expunged. The Highway Patrol would recommend closing the record pursuant to section 610.120, which would conform with the current state of the law.

Finally, the proposed language in section 557.530.7 conflicts with section 610.130 and section 610.140.2(7)(8)(10), which does not allow a driving while intoxicated (DWI) offense to be expunged for any individual until after ten (10) years from date of conviction and only if the person has no other DWI offenses on record or pending on record. These statutes also exclude

any individual who has been issued a commercial driver's license (CDL) or is required to possess a CDL issued by this state or any other state. Federal regulations prohibit the expungement of DWI offenses for any individual that has been issued a CDL. Failure to comply with federal regulations under 49 CFR Section 384 could result in the loss of Federal-aid highway funds apportioned to the State of Missouri or a possible sanction of not allowing Missouri to issue any commercial driver licenses.

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 **Department of Health and Senior Services, Department of Mental Health, Office of the State Courts Administrator, Office of the State Public Defender, Missouri Senate, City of Kansas City, 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 similar legislation, HB 2171 (2026), officials from the **Missouri House of Representatives** and **Kansas City Police Department** assumed the proposal will have no fiscal impact on their organization.

In response to similar legislation, HB 1639 (2024), officials from the **Missouri Office of Prosecution Services** 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.

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	Fully Implemented (FY 2030)
GENERAL REVENUE				
Cost – DOC (§§217.1250 and 557.530) Motivational Boot Camp Incarceration Program to include salaries and fringe p.4	(\$3,876,691 to <u>Unknown</u>)	(\$4,698,551 to <u>Unknown</u>)	(\$4,745,537 to <u>Unknown</u>)	(\$4,792,992 to <u>Unknown</u>)
ESTIMATED NET EFFECT ON GENERAL REVENUE	(\$3,876,691 to <u>Unknown</u>)	(\$4,698,551 to <u>Unknown</u>)	(\$4,745,537 to <u>Unknown</u>)	(\$4,792,992 to <u>Unknown</u>)
FEDERAL HIGHWAY FUNDS				
Loss – MoDOT (§557.530) Non-compliance with federal rules p.5	\$0 or (Up to <u>\$555,876</u>)	\$0 or (Up to <u>\$1,111,753</u>)	\$0 or (Up to <u>\$2,779,382</u>)	\$0 or (Up to <u>\$5,558,765</u>)
ESTIMATED NET EFFECT ON FEDERAL HIGHWAY FUNDS	\$0 or (Up to <u>\$555,876</u>)	\$0 or (Up to <u>\$1,111,753</u>)	\$0 or (Up to <u>\$2,779,382</u>)	\$0 or (Up to <u>\$5,558,765</u>)

<u>FISCAL IMPACT – Local Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029	Fully Implemented (FY 2030)
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

CONFINEMENT IN A MOTIVATIONAL BOOT CAMP (Sections 217.1250 and 557.530)
 This bill directs the Department of Corrections to establish the "Motivational Boot Camp Incarceration Program".

The Program must include a strong emphasis on work; physical activity; good health practices; intensive counseling; treatment programming; self-discipline and self-motivation; and a detailed explanation of program goals, objectives, rules and criteria.

Enrollment in the Program will last for a period of two years.

The Boot Camp Program will be voluntary and available to any person between the ages of 17 and 21 who has two prior convictions for nonviolent criminal offenses which is not a Class A or B felony. Upon a third conviction for a nonviolent offense which is not a Class A or B felony, the offender can choose participation in the Boot Camp Incarceration Program in lieu of a jail or prison sentence.

Before placement in the Program, participants will be screened for disqualifying criteria, including physical or mental disability that would inhibit strenuous physical activity, contagious diseases, age qualifications, and Department approval for placement.

The Department will certify an offender's satisfactory completion of the Program to the court. Upon receipt of the certification, the court will release the person from confinement and expunge the offense for which the person was sentenced from their criminal record. If the Department finds that an offender's participation in the Program is unsatisfactory, the court can impose the remainder of the original jail or prison sentence.

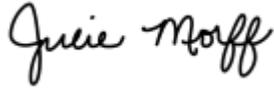
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Health and Senior Services
Department of Mental Health
Department of Corrections
Department of Revenue
Department of Public Safety - Missouri Highway Patrol
Missouri Department of Transportation
Office of the State Courts Administrator
Office of the Secretary of State
Office of the State Public Defender
Missouri House of Representatives
Joint Committee on Administrative Rules
Missouri Senate
Oversight Division
Missouri Office of Prosecution Services
City of Kansas City
Phelps County Sheriff
Branson Police Department

L.R. No. 7099H.02C
Bill No. HCS for HB Nos. 3292 & 2171
Page 8 of 8
March 12, 2026

Kansas City Police Department
St. Louis County Police Department



Julie Morff
Director
March 12, 2026



Jessica Harris
Assistant Director
March 12, 2026