

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0524S.16S  
 Bill No.: CCS for HCS for SS for SCS SB 72  
 Subject: Attorney General; Attorneys; Boards, Commissions, Committees, And Councils; Business And Commerce; Children And Minors; Civil Procedure; Contracts And Contractors; Corporations; County Officials; Courts; Crimes And Punishment; Criminal Procedure; Emergencies; Employees - Employers; Estates, Wills And Trusts; Evidence; Fees; Guardians; Judges; Juries; Liability; Mental Health; Public Officers; Public Records, Public Meetings; Saint Louis City; Salaries; Sexual Offenses; State Departments; State Employees; Sunshine Law; Uniform Laws  
 Type: Original  
 Date: May 10, 2023

Bill Summary: This proposal modifies provisions relating to judicial proceedings.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>				
FUND AFFECTED	FY 2024	FY 2025	FY 2026	Fully Implemented (FY 2028)
General Revenue**/**/****	(Unknown, could exceed \$3,461,622)	(Unknown, could exceed \$4,197,031)	(Unknown, could exceed \$4,222,026)	(Unknown, could exceed \$4,290,688)
<b>Total Estimated Net Effect on General Revenue*</b>	<b>(Unknown, could exceed \$3,461,622)</b>	<b>(Unknown, could exceed \$4,197,031)</b>	<b>(Unknown, could exceed \$4,222,026)</b>	<b>(Unknown, could exceed \$4,290,688)</b>

\*The current appropriation (12.320) for the Statewide Court Automation program includes a \$2 million General Revenue supplement – which Oversight assumes will continue if the sunset date is removed with this proposal.

\*\*Oversight also assumes, should the Statewide Court Automation Fund be extended, there will be no transfer of the unexpended balance to the General Revenue Fund after September 1, 2023 as currently required in §476.055.1 RSMo. Oversight notes the current balance for Fund 0270 as of March 31, 2023 was \$4,702,311.

\*\*\*Oversight assumes the bill clarifies the pay raises Court Reporters received (or were supposed to receive) on January 1, 2022 from HB 271 (2021). In the fiscal note for HB 271, Oversight assumed the pay increases based on length of employment (5.25%, 8.25%, 8.50% & 8.75%) would be compounded (as they are specified in this bill). In that fiscal note, Oversight made the assumption that the 147 court reporters are distributed evenly on the experience spectrum of 0 years to 21+ years of service and therefore reflected an annual cost of approximately \$2 million to the General Revenue Fund for these raises. **Oversight notes the actual fiscal impact could vary greatly depending upon actual years of service (which Oversight does not have) for the court reporters.**

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>				
<b>FUND AFFECTED</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>Fully Implemented (FY 2028)</b>
Crime Victims' Compensation Fund	Unknown, Greater than \$250,000	Unknown, Greater than \$250,000	Unknown, Greater than \$250,000	Unknown, Greater than \$250,000
Legal Expense Fund**	\$0	\$0	\$0	\$0
Public Defender-Federal and Other Fund*	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
Division of Finance (0550)	\$5,550 to \$8,250	\$5,550 to \$8,250	\$5,550 to \$8,250	\$5,550 to \$8,250
Statewide Court Automation Fund (0270)	\$1,175,595	\$1,410,714	\$1,410,714	\$1,410,714
<b>Total Estimated Net Effect on Other State Funds**</b>	<b>Could Exceed \$1,433,845</b>	<b>Could exceed \$1,668,964</b>	<b>Could exceed \$1,668,964</b>	<b>Could exceed \$1,668,964</b>

\*Officials from the Office of the State Public Defender (SPD) assume having a dedicated fund for donations (instead of to the General Revenue Fund) will allow them to solicit and collect donations and/or grants. Oversight assumes since a minimal amount of donations have historically been made to the General Revenue Fund for the SPD, this proposal will have no direct fiscal impact on the General Revenue Fund.

\*\*Indicates numbers that net to zero. Numbers within parentheses: () indicate costs or losses.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>				
FUND AFFECTED	FY 2024	FY 2025	FY 2026	Fully Implemented (FY 2028)
<b>Total Estimated Net Effect on All Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>				
FUND AFFECTED	FY 2024	FY 2025	FY 2026	Fully Implemented (FY 2028)
State Court Automation Fund (0270)*	34 FTE	34 FTE	34 FTE	34 FTE
General Revenue	3 FTE	3 FTE	3 FTE	3 FTE
<b>Total Estimated Net Effect on FTE</b>	<b>37 FTE</b>	<b>37 FTE</b>	<b>37 FTE</b>	<b>37 FTE</b>

\*Oversight notes these are current (existing) positions and this bill simply extends the sunset of the Statewide Court Automation fund

- 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.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>				
FUND AFFECTED	FY 2024	FY 2025	FY 2026	Fully Implemented (FY 2028)
<b>Local Government</b>	<b>(Unknown, could exceed \$66,186)</b>	<b>(Unknown, could exceed \$66,186)</b>	<b>(Unknown, could exceed \$66,186)</b>	<b>(Unknown, could exceed \$66,186)</b>

## FISCAL ANALYSIS

### ASSUMPTION

**Oversight** was unable to receive some of the agency responses in a timely manner due to the short fiscal note request time. Oversight has presented this fiscal note on the best current information that we have or on prior year information regarding a similar bill. Upon the receipt of agency 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.

### §193.265 – Vital records

In response to a previous version, officials from the **Department of Health and Senior Services (DHSS)** state the proposed legislation would create Section 193.265.6, which would waive the fee for a certified copy of a birth, death, or marriage certificate if requested by a prosecuting attorney, circuit attorney or the Attorney General. According to a Missouri survey conducted by the National Prosecutors' Consortium (<https://www.prosecutors.mo.gov/files/Missouri%20Survey%20Report.pdf>), in 2018, 41% of Missouri prosecuting offices responded, and on average, each office reviewed 1,219 felony cases and 1,845 misdemeanor cases. For an estimated average total cases of 3,064 per office, per annum. Missouri has 115 elected prosecutors from each of the 114 counties and the City of St. Louis. Combined, this is an average of 352,360 cases reviewed each year across the state. Not all prosecuting offices responded to the Consortium survey, so exact metrics were not available for all local offices. It is also not known how many of these cases would result in a request for a copy of a vital record. Therefore, a range from 0 to 352,360 requests are estimated to be possible.

Moreover, the proposed language does not limit the number of certificate requests that could be made nor does it limit the purpose for which the certificates may be requested for free nor specify or require that the requestor be an official from Missouri. As a result, the number of certificates requested could exceed 352,360. Considering these unknown and/or estimated variables, the number of FTE needed will be an estimated with a range.

While this proposed legislation references birth, death, and marriage certificates, the cheapest and typically most requested certification (death--\$14) will be used to make estimated calculations.

As requests from the Missouri Attorney General (AGO) are also included in this proposed legislation, the estimated 700 criminal appeals (<https://ago.mo.gov/criminal-division/criminal-appeals>) that are handled by the AGO each year are factored into these calculations. This estimate does not include any other appeals or cases that may be handled by the AGO. This would bring the estimated total of potential requests to 353,060.

Estimating from current vital records issuance metrics, an average of 200 certificates issued to the Missouri Attorney General and an average of 150 certificates issued to local

circuit/prosecuting attorneys per annum, would result in a total loss of certificate issuance revenue of \$4,900 per fiscal year.

Death certificates have a current fee split of \$5.00 per certificate to the Children's Trust Fund; \$3.00 to the Missouri Public Health Fund; \$4.00 to General Revenue; \$1.00 to Endowed Care Cemetery; and \$1.00 to the Coroner's Training fund. This is assuming all certificate requests come to the state office. Any requests completed at the local level by local public health agencies (LPHAs), would impact local public health funding.

FTE count comes from the calculation of a ten (10) minute application review, processing, and issuance time average with 2,080 working hours per annum which equals 12,480 applications processed per FTE. Most applications take fifteen (15) minutes, but a shorter time of ten (10) minutes per application was used in this calculation, as requests from "agencies", such as prosecutors and the Attorney General's Office, can usually be done slightly faster due to typically less documentation to review per request.

As a result, the range of FTE would be zero (0) FTE if there were zero (0) certificates requested to twenty-eight (28) FTE if 353,060 certificates were requested. However, due to current staffing levels, the Bureau of Vital Records (BVR) estimates that it could absorb up to 1-2% (3,530-7,061 certificates) of the full amount of certificate requests. The bureau currently issues approximately 68,000 certificates of all types each year.

The Division of Administration would have an Unknown General Revenue cost. Depending on the number of certificates requested, and the number of new staff that is required by the Bureau of Vital Records, the Division could require additional staff to assist in the administrative processes for the program. It is assumed that the Division can absorb the costs of this bill with current resources. However, if the workload significantly increased or other legislation was enacted, additional resources would be requested through the appropriation process. For each actual cost, loss, revenue and/or savings, indicate if your agency has existing budget authority that can absorb the cost or be reduced by the savings. The cost/savings must be indicated by the appropriation number, fund number, FTE and amount for the current FY and Governor's recommended budgets.

**Oversight** assumes based on the current vital records issuance metrics, an average of 200 certificates issued to the Attorney General and an average of 150 certificates issued to local circuit/prosecuting attorneys per annum, would result in a loss of \$4,900 per fiscal year. Oversight assumes these amounts are not material and, therefore, will not reflect a fiscal impact from this change.

In response to similar legislation from this year, Perfected HS for HCS for HB Nos. 1108 & 1181, officials from the **Missouri Office of Prosecution Services (MOPS)** stated this provision would provide for a positive fiscal impact to prosecuting attorneys and the circuit attorney since they will not have to pay for birth, death, or marriage certificates. The amount of that positive fiscal impact is unknown.

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

§347.143 – Court Ordered Dissolutions of LLC's

In response to similar legislation from this year, HB 278, officials from the **Department of Labor and Industrial Relations, Office of the State Courts Administrator and Department of Revenue** 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 for this section.

§431.204 – Covenants between Business Entities and its Owners

In response to similar legislation from this year, HB 902, officials from the **Department of Labor and Industrial Relations, the Department of Commerce and Insurance, the Department of Corrections, the Missouri Department of Conservation, and the Office of Administration** each assumed 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 this section.

In response to similar legislation from this year, HB 902, officials from **Missouri University System** and the **University of Central Missouri** both assumed 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 this section.

In response to similar legislation from this year, HB 902, officials from the **City of Kansas City** and the **City of Springfield** both assumed 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 this section.

§§435.300, 435.303, 435.306, 435.309 & 435.312 – Alternative Dispute Resolution

In response to similar legislation from this year, HB 82, officials from the **Office of the State Courts Administrator, the Office of Administration, the Department of Commerce and Insurance and the Missouri Department of Conservation** each assumed 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 for these sections.

§§436.550 – 436.574 - Consumer Legal Funding Model Act

§436.570

In response to similar legislation from 2023, HCS for HB 628, officials from the **Department of Commerce and Insurance’s Division of Finance (DOF)** assumed §436.570 requires consumer legal finance companies to be licensed by the Division of Finance. Applicants would be required to submit an initial application fee of \$550 and an annual license renewal fee \$550. For the purposes of this estimate, DOF has assumed the same number of businesses would participate in this program as are currently licensed under Chapter 367 which would generate revenue of \$5,500-\$8,250 annually, which would be credited to the Division of Finance Fund (0550).

Processing of applications and licenses and overhead costs are estimated at \$150 per license. For 10-15 licensees, the estimated annual cost is (\$1,500-\$2,250). Additional hours and costs would be necessary if hearings are requested. For the purposes of this estimate, DOF assumes there would be no hearings required for Consumer Legal Funding Licensees.

Subsection 12 makes each licensee subject to an examination by DOF every two years. DOF assumes that these exams would be divided so that one-half of the licensees would be examined each year. Examinations are estimated to take 8.53-9.53 hours at an hourly rate of \$85.00 per hour for personal services and expenses. For 5-8 examinations per year, the estimated cost is (\$4,050-\$5,800).

DOF is allowed to impose administrative fines of up to \$1,000 on Consumer Legal Funding companies that knowingly and willfully violate these sections. For the purposes of this estimate, DOF assumes there will be no violations of these sections.

DOF assumes the workload for §§436.550-436.574 would be shifted to existing staff, replacing the workload lost from Chapter 367 licenses and paid by the Division of Finance Fund (0550).

Listed below is a summary of revenue and expenses to the Division of Finance Fund as estimated by DCI:

<b>Revenue/Expenses</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</b>
Licenses (Chapter 436)	\$5,550 - \$8,250	\$5,550 - \$8,250	\$5,550 - \$8,250
Processing & Applications/Administrative Cost	(\$1,500) – (\$2,250)	(\$1,500) – (\$2,250)	(\$1,500) – (\$2,250)
Investigations & Examinations	(\$4,050) – (\$5,800)	(\$4,050) – (\$5,800)	(\$4,050) – (\$5,800)
Chapter 367 Revenue Loss	(\$5,000- \$7,500)	(\$5,000- \$7,500)	(\$5,000- \$7,500)
Chapter 367 Savings	\$5,000 - \$7,500	\$5,000 - \$7,500	\$5,000 - \$7,500

<b>Total Expenses – Division of Finance Fund</b>	<b>(\$50) – \$200</b>	<b>(\$50) – \$200</b>	<b>(\$50) – \$200</b>
--	-----------------------	-----------------------	-----------------------

**Oversight** does not have any information to the contrary. Therefore, Oversight will reflect the fiscal impact as estimated by DCI-DOF.

In response to similar legislation from 2023, HCS for HB 628, officials from the **Office of the State Public Defender (SPD)** stated the proposed legislation creates a new offense under section 361.749 which could result in additional cases eligible for SPD representation. The number of additional cases is unknown and as a result the fiscal impact is unknown. However, if the offenses, which are classified as misdemeanors, were class D misdemeanors, jail time would not be a possible sentence and the offense therefore would not be eligible for SPD representation.

**Oversight** notes in FY22 the SPD was appropriated moneys for 53 additional FTE. Oversight assumes this proposal will create a minimal number of new cases and that the SPD can absorb the additional caseload required by this proposal with current staff and resources. Therefore, Oversight will reflect no fiscal impact to the SPD for fiscal note purposes. However, if multiple bills pass which require additional staffing and duties, the SPD may request funding through the appropriation process.

In response to similar legislation from 2023, HCS for HB 628, officials from the **Department of Corrections**, the **Attorney General’s Office**, the **Missouri Office of Prosecution Services** and the **Department of Public Safety - Missouri Highway Patrol** each assumed 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.

In response to similar legislation from 2023, HCS for HB 628, officials from the **Office of the State Courts Administrator** 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.

#### Rule Promulgation

In response to similar legislation from 2023, HCS for HB 628, officials from the **Joint Committee on Administrative Rules** assumed this proposal is not anticipated to cause a fiscal impact beyond its current appropriation.

In response to similar legislation from 2023, HCS for HB 628, officials from the **Office of the Secretary of State (SOS)** noted 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.

§§455.010, 455.035 & 455.513 – Orders of Protection

In response to similar legislation from this year, Perfected HCS for HB Nos. 994, 52 & 984, officials from the **Office of the State Courts Administrator** 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 sections.

§§474.540, 474.542, 474.544, 474.546, 474.548, 474.550, 474.552, 474.554, 474.556, 474.558, 474.560, 474.562, 474.564, 474.600 – Electronic Estate Planning Documents

In response to similar legislation from this year, HCS for HB 881, officials from the **Office of the State Courts Administrator** 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 sections.

In response to similar legislation from this year, HCS for HB 881, officials from the **Department of Commerce and Insurance** 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 sections.

**Oversight** notes that according to <https://trustandwill.com/learn/e-will>, electronic wills are only accepted in a few states currently. Some states have updated their statutes to allow e-wills. Electronic wills are now legal in Nevada, Florida, Indiana, and Arizona. Utah and Colorado have also recently adopted the Uniform Electronic Wills Act, which is a model law created by the Uniform Laws Commission. In other instances, some state courts have accepted e-wills on a case-by-case basis. COVID-19 also caused some courts to temporarily allow remote witnessing as an emergency measure.

§§475.010, 475.045, 475.063 & 488.2300 – Guardianships/Conservatorships & the Family Services and Justice Fund

In response to similar legislation from this year, HCS for HB 881, officials from the **Office of State Courts Administrator (OSCA)** stated there may be some impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

In response to similar legislation from this year, HCS for HB 881, officials from the **Department of Commerce and Insurance** 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 sections.

**Oversight** notes §475.063 specifies what assistance a court clerk must provide or make available for a petitioner filing for emergency or full orders regarding a minor entering adult guardianship or conservatorship. The duties of the court clerk will be performed without cost to the petitioner. No filing fees, court costs, or bond will be assessed to the petitioner as well. The clerk may be reimbursed from the Family Services and Justice Fund for expenses incurred under this section.

**Oversight** notes §488.2300 allows fees incurred for guardianship or conservatorship proceedings by court-appointed attorneys, physicians, or other professionals, as well as fees incurred by court clerks providing assistance, to be given priority for payment from the "Family Services and Justice Fund". This section also doesn't prohibit the appropriation of funds by the general assembly to the various county family services and justice funds of the family courts of the counties.

**Oversight** assumes the various county circuits are provided with core funding to handle a certain amount of activity each year. Oversight assumes the county circuits could absorb the costs related to this proposal. If multiple bills pass which require additional staffing and duties at substantial costs, then the county circuits could request funding through the appropriation process. Therefore, Oversight will reflect a \$0 fiscal impact for these sections of this proposal.

#### §475.040 – Provisions relating to Guardianships and Conservatorships

In response to similar legislation from 2023, SCS for HCS for HB Nos. 994, 52 & 984, officials from the **Office of the State Courts Administrator (OSCA)** stated 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** does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by the OSCA and show a zero direct fiscal impact for this section.

In response to similar legislation from 2023, SCS for HCS for HB Nos. 994, 52 & 984, officials from the **Missouri Veterans Commission** 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.

#### §475.050 – Appointment of a Guardian or Conservator

In response to similar legislation from this year, Perfected HCS for HB Nos. 994, 52 & 984, officials from the **Office of the State Courts Administrator** 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 this section.

§475.275 – Pooled Estate Accounts and Venue in Guardianship/Conservatorship Cases

Officials from the **Clay County Auditor’s Office** assume a cost of \$5,000 per year to have an independent CPA review the Public Administrator’s Office.

In response to similar legislation from 2023, HB 1013, officials from the **Department of Social 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.

In response to similar legislation from 2023, HB 1013, officials from the **Office of the State Courts Administrator** 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.

**Oversight** only reflects the responses received from state agencies and political subdivisions; however, counties and county public administrators were requested to respond to this proposed legislation but did not. A listing of political subdivisions included in the Missouri Legislative Information System (MOLIS) database is available upon request.

**Oversight** notes §475.275.2(2) of this proposal removes the requirements of a county of a certain population (Jackson County) and opens the examination of accounts to all counties that are pooled for investing and management of estate funds to be examined on at least an annual basis. The proposal describes what will be examined and placed into a report which shall be paid by the county as outlined in §475.275.2(4). Oversight assumes all other counties could be impacted by this proposal, but is unclear by how much. Therefore, Oversight will reflect a \$0 to negative unknown fiscal impact to counties for this proposal.

§476.055 – Statewide Court Automation

Officials from the **Office of the State Public Defender (SPD)** assume this proposal could result in additional cases eligible for SPD representation. The number of additional cases is unknown and as a result the fiscal impact is unknown.

**Oversight** notes in FY22 the SPD was appropriated moneys for 53 additional FTE. Oversight assumes this proposal will create a minimal number of new cases and that the SPD can absorb the additional caseload required by this proposal with current staff and resources. Therefore, Oversight will reflect no fiscal impact to the SPD for fiscal note purposes. However, if multiple bills pass which require additional staffing and duties, the SPD may request funding through the appropriation process.

In response to similar legislation from this year, Perfected HCS for HB Nos. 994, 52 & 984, officials from the **Office of the State Courts Administrator (OSCA)** assumed this proposal extends the expiration dates for provisions relating to the Statewide Court Automation Fund. §476.055 would extend the Statewide Court Automation Fund until September 1, 2029. The Statewide Court Automation Fund’s annual appropriation is approximately \$6.6 million and 34 FTE.

**Oversight** notes the Statewide Court Automation Fund is a statutorily created fund and was created to build and sustain "an integrated court system that renders geography largely irrelevant...with greater efficiency, wider access, and enhanced accountability" for the litigant and taxpayer. This plan includes installation and ongoing development of Show-Me Courts, Show-Me Jury, Case.net, eFiling, Track This Case, Pay-By-Web, eBench, and other software packages. The fund is set to expire September 1, 2023.

The fund has a court fee of \$7 per case and has received the following receipts during FY19 – FY22:

STATEWIDE COURT AUTOMATION FUND (0270)	
	<u>Receipts</u>
FY 19	\$ 4,205,465
FY 20	\$ 3,889,127
FY 21	\$ 3,632,708
FY 22	\$ 4,500,815
Total	\$ 16,228,115
4 year average	\$ 4,057,029
Source: State Treasurer Fund Activity Reports	

**Oversight** notes the appropriation for the Statewide Court Automation program is made up of General Revenue Funds and funds from the Statewide Court Automation Fund. Below is a history of the expended funds for the last three fiscal years:

STATEWIDE COURT AUTOMATION				
	<u>Appropriation</u>	<u>General Revenue</u>	<u>Statewide Court Automation Fund</u>	<u>Unexpended Fund</u>
FY 20	\$ 7,276,217	\$ 2,000,000	\$ 3,269,800	\$ 2,006,417
FY 21	\$ 7,302,126	\$ 2,000,000	\$ 2,330,611	\$ 2,971,515
FY 22	\$ 7,336,965	\$ 2,000,000	\$ 2,338,534	\$ 2,998,431
Average	\$ 7,305,103	\$ 2,000,000	\$ 2,646,315	\$ 2,658,788
Source: FY 24 OSCA Budget Requests Book				

**Oversight** notes this proposal removes the sunset clause. If this proposal is extended, Oversight assumes revenue and expenditures will continue for and the Fund and will therefore use the average amount, from the tables above, to reflect the fiscal impact.

The appropriations for the Statewide Court Automation Fund includes 34 FTEs. **Oversight** assumes should this proposal be extended, the 34 FTEs will also continue to be funded through the Statewide Court Automation program and will be reflected in the table on page 15.

§§476.1300, 476.1302, 476.1304, 476.1306, 476.1308, 476.1310, 476.1313 & 565.240 - Judicial Privacy Act

In response to a previous version, officials from the **Department of Corrections (DOC)** assumed this proposal establishes the Judicial Privacy Act, which provides restrictions on the use of a judicial officer’s personal information. It creates a new class D felony for the offense of publicly posting the personal information of a judicial officer (or immediate family) on the internet. These actions are considered a nonviolent class D felony offense; therefore, the intent of the bill is to create a new class D felony offense.

For each new nonviolent class D felony, the DOC estimates three people could be sentenced to prison and five to probation. The average sentence for a nonviolent class D felony offense is 5 years, of which 2.8 years will be served in prison with 1.7 years to first release. The remaining 2.2 years will be on parole. Probation sentences will be 3 years.

The cumulative impact on the DOC is estimated to be 8 additional offenders in prison and 22 additional offenders on field supervision by FY 2028.

Change in prison admissions and probation openings with legislation-Class D Felony (nonviolent)

	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032	FY2033
<b>New Admissions</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	3	3	3	3	3	3	3	3	3	3
<b>Probation</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	5	5	5	5	5	5	5	5	5	5
<b>Change (After Legislation - Current Law)</b>										
Admissions	3	3	3	3	3	3	3	3	3	3
Probations	5	5	5	5	5	5	5	5	5	5
<b>Cumulative Populations</b>										
Prison	3	6	8	8	8	8	8	8	8	8
Parole			1	4	7	7	7	7	7	7
Probation	5	10	15	15	15	15	15	15	15	15
<b>Impact</b>										
Prison Population	3	6	8	8	8	8	8	8	8	8
Field Population	5	10	16	19	22	22	22	22	22	22
<b>Population Change</b>	<b>8</b>	<b>16</b>	<b>24</b>	<b>27</b>	<b>30</b>	<b>30</b>	<b>30</b>	<b>30</b>	<b>30</b>	<b>30</b>

	# to prison	Cost per year	Total Costs for prison	Change in probation & parole officers	Total cost for probation and parole	Change to probation & parole	Grand Total - Prison and Probation (includes 2% inflation)
Year 1	3	(\$9,499)	(\$23,748)	0	\$0	5	(\$23,748)
Year 2	6	(\$9,499)	(\$58,134)	0	\$0	10	(\$58,134)
Year 3	8	(\$9,499)	(\$79,062)	0	\$0	16	(\$79,062)
Year 4	8	(\$9,499)	(\$80,643)	0	\$0	19	(\$80,643)
Year 5	8	(\$9,499)	(\$82,256)	0	\$0	22	(\$82,256)
Year 6	8	(\$9,499)	(\$83,901)	0	\$0	22	(\$83,901)
Year 7	8	(\$9,499)	(\$85,579)	0	\$0	22	(\$85,579)
Year 8	8	(\$9,499)	(\$87,291)	0	\$0	22	(\$87,291)
Year 9	8	(\$9,499)	(\$89,037)	0	\$0	22	(\$89,037)
Year 10	8	(\$9,499)	(\$90,817)	0	\$0	22	(\$90,817)

\* If this impact statement has changed from statements submitted in previous years, it could be due to an increase/decrease in the number of offenders, a change in the cost per day for institutional offenders, and/or an increase in staff salaries.

If the projected impact of legislation is less than 1,500 offenders added to or subtracted from the department's institutional caseload, the marginal cost of incarceration will be utilized. This cost of incarceration is \$26.024 per day or an annual cost of \$9,499 per offender and includes such costs as medical, food, and operational E&E. However, if the projected impact of legislation is 1,500 or more offenders added or removed to the department's institutional caseload, the full

cost of incarceration will be used, which includes fixed costs. This cost is \$87.46 per day or an annual cost of \$31,921 per offender and includes personal services, all institutional E&E, medical and mental health, fringe, and miscellaneous expenses. None of these costs include construction to increase institutional capacity.

DOC's cost of probation or parole is determined by the number of P&P Officer II positions that are needed to cover its caseload. The DOC average district caseload across the state is 51 offender cases per officer. An increase/decrease of 51 cases would result in a cost/cost avoidance equal to the salary, fringe, and equipment and expenses of one P&P Officer II. Increases/decreases smaller than 51 offender cases are assumed to be absorbable.

In instances where the proposed legislation would only affect a specific caseload, such as sex offenders, the DOC will use the average caseload figure for that specific type of offender to calculate cost increases/decreases.

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

In response to a previous version, officials from the **Department of Revenue (DOR)** assumed the following:

### **Administrative Impact**

To implement the proposed change, the DOR would be required to:

- Project development and oversight tasks;
- Coordinate with the Missouri Supreme Court to develop requirements for the data file specifications for electronic transfer of data;
- OA-ITSD to develop a secure process that is a format compatible with the Missouri Supreme Court system for the court to send the request with personal information attached;
- Complete programming and user acceptance testing of MODL to verify file transfer from Missouri Supreme Court and update confidential record indicators as required to restrict release of information;
- OA-ITSD Test the file generation and secure transfer process to ensure all required data elements are received as required;
- Obtain format and procedure approvals from Missouri Supreme Court as applicable;
- Test file transfer process, record updates, record sales and law enforcement inquiries to ensure accurate handling of these newly restricted record types;
- Update policies and procedures;
- Update forms, manuals, and the DOR website;
- Complete training as required.

FY2024-Driver License Bureau  
Research/Data Analyst 80 hrs. @ \$25.63 =\$2,050  
Administrative Manager 60 hrs. @ \$27.82 =\$1,669  
Total \$3,719

FY 2024-Public Service Bureau  
Associate Research/Data Analyst 20 hrs. @ \$17.20 = \$344

**Total \$4,063**

MVB:  
Chapters in 476

• This bill creates the “Judicial Privacy Act,” which functions as a way for judges to request that their personal information not be posted or released. Judicial officers have to make a written request either directly to each agency, person, business, or association; or file through a clerk of the Supreme Court, asking them to refrain from disclosing the judicial officer’s personal information. The bill also requires that no one uses a judicial officer’s personal information in any way for the purposes of tampering with a judicial officer; being guilty of which would result in a class D felony.

**Administrative Impact**

To implement the proposed legislation the DOR will be required to:

- Update procedures, correspondence letters and the DOR website;
- Update the Missouri Titling Manual and Forms;
- Send Communications to License offices and other Contracted stakeholders; and
- Train Staff

FY 2024 – Motor Vehicle Bureau  
Associate Research/Data Analyst 40 hrs. @ \$19.90/hr. = \$796.00  
Lead Administrative Support Asst. 20 Hrs @ \$17.05 = \$341.00  
Administrative Manager 5 Hrs @ \$26.96 = \$134.80

FY 2024 – Strategy and Communications Office  
Associate Research/Data Analyst 20 hrs. @ \$19.90/hr. = \$ 398

**Total Cost = \$1,669.80**

DOR anticipates absorbing these costs and that there will be minimal impact. If multiple bills are passed that require DOR resources, FTE may be requested through the appropriations process.

Based on the assumption that the eligible record holders will be updated through a secure file process and not by processing of individual applications, the DOR does not expect to require additional FTE. The volume of potential individual requests for removal is unknown. If the volume of request increases beyond current staffing abilities, the DOR will be required to request appropriations for FTE.



The fiscal impact estimate in this response is based on changes in the current MO Driver License System environment. The DOR is pursuing an upgraded Motor Vehicle and Driver Licensing system and to reduce duplicative development and reduce cost the sponsor may want to consider an delayed effective date that would allow the proposed changes be developed within the new proposed environment.

**Oversight** notes DOR anticipates having a one-time IT cost of \$33,653 for 354.24 hours of work at \$95 per hour in FY 2024.

**Oversight** is unclear on the timeframe for updating DOR's Motor Vehicle and Driver Licensing software system and will, therefore, reflect costs estimates as provided by DOR as if the changes were implemented starting in FY24.

In response to a previous version, officials from the **Office of Administration (OA)** stated this proposal provides restrictions on the use of a judicial officer's personal information and establishes civil remedies for violation, including costs and attorney fees. These provisions have the potential to increase costs to the Legal Expense Fund (LEF) if a claim were successfully brought against a state employee for violation of this legislation.

**Oversight** does not have information to the contrary and therefore, Oversight will reflect a \$0 to unknown cost to General Revenue (as reimbursement to the Legal Expense Fund) and the LEF as provided by the OA.

In response to a previous version, officials from the **Office of the State Courts Administrator** assumed there may be some impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

In response to a previous version, officials from the **Department of Commerce and Insurance**, the **Department of Elementary and Secondary Education**, the **Jackson County Board of Elections**, the **Kansas City Police Department**, the **Kansas City Employees' Retirement System**, the **Kansas City Firefighter's Pension System**, the **Kansas City Supplemental Retirement Plan**, the **Metro St. Louis Sewer District Employees Pension Plan**, **Andrew County PWSD #2**, the **Morgan County PWSD #2**, the **Missouri Office of Prosecution Services**, the **Missouri State Employees Retirement System**, the **Hancock Street Light District**, the **Department of Labor and Industrial Relations**, the **Department of Public Safety (Capitol Police)**, the **Joint Committee on Public Employee Retirement**, the **Missouri Department of Conservation**, the **Petroleum Storage Tank Insurance Fund**, the **Christian County Auditor's Office**, the **St. Joseph Police Department**, the **Kansas City Public School Retirement System**, the **Rock Community FPD Retirement Plan**, the **University of Central Missouri**, the **St. Charles Community College**, the **Office of the Governor**, the **Office of the Lieutenant Governor**, the **Kansas City Board of Elections**, the **Local Government Employees Retirement System**, the **Metropolitan St. Louis Sewer District**, the **Blackwater Reorganized Common Sewer District**, the **Little Blue Valley Sewer District**, the **Missouri Higher Education Loan Authority**, the **Metropolitan St. Louis Sewer District Employees**

**Pension Plan, St. Louis City and the Cole Camp Ambulance District** each assumed 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 for these sections.

§485.060 – Compensation for Court Reporters

In response to similar legislation from this year, Perfected HCS for HB Nos. 994, 52 & 984, officials from the **Office of the State Courts Administrator (OSCA)** assumed the court reporters would receive an increase each time they meet a new level of service and calculated the fiscal impact as if each court reporter would reach the highest level of salary throughout their career (21 years or more) and would be increased to the highest annual salary level indicated. Based on 147 court reporters at current salary levels, the fiscal impact would be a cost of at least \$3,272,085 and up to \$8,604,946.

**Oversight** has requested additional information from the OSCA regarding their response to court reporter salaries. Upon the receipt of this information, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval to publish a new fiscal note if needed.

**Oversight** notes that the \$22,259.15 is the difference of the rate at the highest year of service (21+ years) less the base salary. OSCA used \$64,643 as a base salary. Oversight will assume court reporters will realize their increase in salary based on the schedule of the years of service:

Current salary		\$64,643
06-10 years of service (initial 5.25% raise)	-	\$68,037
11-15 years of service (...plus a 8.25% raise)	-	\$73,650
16-20 years of service (...plus a 8.50% raise)	-	\$79,910
21+ years of service (...plus a 8.75% raise)	-	\$86,902

**Oversight** notes officials from OSCA provided a previous listing of the current court reporters from 2021, but did not provide a start date (to calculate years of service) for each. Therefore, Oversight will make the assumption that the 147 court reporters are distributed evenly on the experience spectrum of 0 years to 25 years of service.

**Oversight reflected the following cost of the raises in 2021 fiscal note for TAFP HB 271:**

	FY 2022	FY 2023	FY 2024
	(6 months)		
Personal Service	(\$691,224)	(\$1,432,687)	(\$1,533,165)
Fringe Benefits	(\$233,288)	(\$ 483,532)	(\$ 517,443)
Total Cost to General Revenue	(\$930,975)	(\$1,916,219)	(\$2,050,608)

**Oversight** assumed a fringe benefit rate of roughly 33.75% for retirement, social security, long-term disability, basic life insurance, unemployment compensation, and workers' compensation.

**Oversight notes the actual fiscal impact could vary greatly depending upon actual years of service (which Oversight does not have) for the court reporters.**

**Oversight** assumes it has already reflected the fiscal impact of these pay increases in the fiscal note for TAFP HB 271 in 2021, that were supposed to occur beginning January 1, 2022. Therefore, Oversight will make the assumption that this language is clarifying and therefore will not reflect an additional fiscal impact from this section beyond what Oversight reflected for TAFP HB 271 (2021).

§487.110 – Uniform Child Custody Jurisdiction and Enforcement Act

In response to similar legislation from this year, Perfected HCS for HB Nos. 994, 52 & 984, officials from the **Department of Elementary and Secondary Education**, the **Kansas City Police Department** and the **Missouri Office of Prosecution Services** each assumed 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 for this section.

§488.426 – St. Louis City Circuit Court civil case filing fee

In response to similar legislation from this year, Perfected HCS for HB Nos. 994, 52 & 984, officials from the **Office of the State Courts Administrator** stated the proposed legislation allows the circuit court in St. Louis City to collect a fee not to exceed twenty dollars, rather than fifteen, to go toward the law library.

During the past five years there was an average of 13,431 circuit civil case filings, 5,887 domestic relations civil case filings and 15,894 associate civil and small claims civil case filings, a total of 35,212. Based upon the increase in the collection fee not to exceed \$20.00, rather than \$15.00, to go toward the library, they estimate the increase to be \$0 to \$176,060 (\$5 x 35,212.).

**Oversight** notes using information on the City of St. Louis from OSCA’s Judicial Report Supplement for FY12 thru FY21, Oversight projects the follow:

Circuit Civil	10,508
Domestic Relations	6,616
Associate Civil and Small Claims	<u>17,104</u>
Civil Circuit Total	34,228

**Oversight** estimates the increase to be \$171,140 (\$5 \* 34,228).

In response to similar legislation from this year, Perfected HCS for HB Nos. 994, 52 & 984, officials from **St. Louis City** assumed 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 City.

§494.455 – Compensation of Jurors

In response to similar legislation from this year, Perfected HCS for HB Nos. 994, 52 & 984, officials from the **Office of the State Courts Administrator (OSCA)** assumed the proposed legislation modifies provisions relating to the compensation of jurors.

In any county, upon adoption by the county commission, no grand or petit juror shall receive compensation for the first two days of service but shall receive fifty dollars per day for the third day and each subsequent day he or she may serve. These funds are to be paid by the county. It is unknown how many counties will participate and the increase may result in an unknown cost or savings to the state or county.

**Oversight** notes according to information from the 2017 - 2021 Annual Supplemental Reports for Jury Trial Information (Table 57) from OSCA, there were an average of 2,521 days where jurors were in session for both civil and criminal cases. Subtracting out Greene County's jury days (184) since they currently receive \$50 per day after serving 2 days of jury service, the rest of the counties, including St. Louis City, used 2,337 (2,521-184) jury days. Since the rest of the counties are paid at a minimum of \$6 per day, the total juror payout (not including Greene County) would be approximately \$168,264 ((2,337 jury day \* \$6/person) \* 12 jurors per case (rounded)).

This proposal would pay \$50 per day after 2 days of service for all counties in the state, not including St. Louis City. Using OSCA's 2017 - 2021 Annual Supplemental information as an example, there would be 21 circuits who would be affected by this proposal since they average more than 2 days for each case. This would result in a cost of up to \$395,160 (5,988 affected jurors \* \$50/day = \$299,400 plus St. Louis City's cost of \$95,760) or an increase in payout costs to jurors of \$213,662 (\$395,160 - \$181,498). This would be the minimum payout and does not include mileage reimbursement to jurors, since Oversight does not have that information available. Therefore, Oversight will reflect an unknown cost to pay jurors that could exceed \$213,662 annually.

**Oversight** also assumes from subdivision 2 of subsection 3 a county commission **may** authorize compensation to a grand or petit juror for the first two days of service not to exceed ten dollars per day. Oversight is unclear how many county commissions would authorize compensation for jurors who serve for 2 days or less. Assuming all of the counties who had an average of 2 days or less authorize payment to jurors up to \$10 per day (currently payment is \$6/day) and using the total number of jury days as a guide, there would be 24 circuits and 493 jury days that could be affected which would result in an additional \$23,664 (493 \* \$4 \* 12) that could be paid out to jurors at the additional \$4/day rate. Therefore, Oversight will include an additional payout to jurors who serve 2 days or less that could be up to \$23,664 in costs per year.

**Oversight** notes from the calculation above that only the counties that averaged 2 days or less were used to calculate the additional increase in costs if the rate was authorized by a county

commission up to \$10 per day. The other counties that averaged more than 2 days were not included in this calculation since Oversight does not have any information to determine how many of those counties would fall into the 2 days or less scenario.

§509.520 – Court Pleadings, Attachments, and Exhibits

In response to a previous version, officials from **Department of Corrections (DOC)** assumed this section prohibits the court from including some personal identifying information in judgments or orders, therefore, making it difficult for staff to verify identity before individual can be accepted for incarceration. This could have an unknown impact.

**Oversight** assumes because the potential for impact is speculative, the DOC will not incur significant cost related to this section of the proposal. If a fiscal impact were to result, the DOC may request additional funding through the appropriation process.

In response to a previous version, officials from the **Department of Commerce and Insurance**, the **Department of Elementary and Secondary Education**, the **Jackson County Board of Elections**, the **Kansas City Police Department**, the **Kansas City Employees' Retirement System**, the **Kansas City Firefighter's Pension System**, the **Kansas City Supplemental Retirement Plan**, the **Metro St. Louis Sewer District Employees Pension Plan Andrew County PWSD #2**, the **Morgan County PWSD #2**, the **Missouri Office of Prosecution Services**, the **Missouri State Employees Retirement System** and the **Hancock Street Light District** each assumed 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 for this section.

§§510.500, 510.503, 510.506, 510.509, 510.512, 510.515, 510.518, 510.521 – Uniform Interstate Depositions and Discovery Act

In response to similar legislation from this year, Perfected HCS for HB Nos. 994, 52 & 984, officials from the **Office of the State Courts Administrator** assumed the proposal will have no fiscal impact on their organization. Any additional costs would be absorbed with existing resources. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact to OSCA for these sections in the fiscal note.

§537.529 & Repeals §537.528 – Uniform Public Expression Protection Act

In response to similar legislation from 2023, HB 750, officials from the **Attorney General's Office**, the **Department of Commerce and Insurance**, the **Department of Economic Development**, the **Department of Elementary and Secondary Education**, the **Department of Higher Education and Workforce Development**, the **Department of Health and Senior Services**, the **Department of Mental Health**, the **Department of Corrections**, the **Department of Labor and Industrial Relations**, the **Department of Revenue**, the **Department of Public Safety (Office of the Director, Capitol Police, Alcohol & Tobacco Control, Fire Safety,**

**Gaming Commission, Missouri Highway Patrol, Missouri National Guard, State Emergency Management Agency and Veterans Commission), the Office of the Governor, the Office of the Lieutenant Governor, the Joint Committee on Administrative Rules, the Joint Committee on Public Employee Retirement, the Missouri Lottery Commission, the Missouri Consolidated Health Care Plan, the Department of Social Services, the Department of Agriculture, the Missouri Department of Conservation, the Missouri Ethics Commission, the Missouri House of Representatives, the Department of Transportation, the Office of Prosecution Services, the Office of Administration (Administrative Hearing Commission and Budget and Planning), the Office of the State Auditor, the Missouri Senate, the MoDOT & Patrol Employees' Retirement System, the University of Missouri System, the City of Kansas City, the City of O'Fallon, the City of Springfield, the Jackson County Board of Elections, the Platte County Board of Elections, the St. Louis County Board of Elections, the St. Louis County Health Department, the Phelps County Sheriff, the Branson Police Department, the Kansas City Police Department, the St. Joseph Police Department, the St. Louis County Police Department, the Cole Camp Ambulance District, the Gordon Parks Elementary School, the University of Central Missouri, St. Charles Community College, the Joint Committee on Education, Legislative Research, Oversight Division, the Missouri State Employee's Retirement System and the State Tax Commission** each assumed the proposal will have no fiscal impact on their respective organizations.

In response to similar legislation from 2022, HB 2624, officials from the **Office of the State Courts Administrator, the Office of the State Treasurer, the Petroleum Storage Tank Insurance Fund, the City of Claycomo, the Kansas City Board of Elections, the Newton County Health Department, the Crawford County 911 Board, the Hermann Area Hospital District, Missouri State University and the Missouri Higher Education Loan Authority** each assumed 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** notes that the above mentioned agencies have stated the proposal would not have a direct fiscal impact on their organization. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note.

In response to similar legislation from 2023, HB 750, officials from the **Office of the Secretary of State (SOS)** noted 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.

**Oversight** assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process.

#### §544.453 – Persons being released from prison

In response to similar legislation from this year, Perfected HCS for HB Nos. 994, 52 & 984, officials from the **Office of the State Courts Administrator** and the **Department of Corrections** each assumed 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 for this section.

**Oversight** assumes this proposal establishes certain provisions specific to setting bail and the conditions of release in Missouri courts. Oversight is unclear on how the new provisions will be implemented and if this will result in a savings or additional costs to local jails from an increase or decrease in jail days. Therefore, Oversight will reflect a positive and negative unknown savings/costs to local jail funds for this section of the proposal.

#### §547.500 – Conviction Integrity Unit Act

Officials from the **Missouri Office of Prosecution Services (MOPS)** state creating the conviction review unit as proposed in the bill will require hiring three additional staff; two (2) attorneys and an (1) investigator, resulting in a total cost of \$256,000. At present MOPS believes they can use the paralegal received in FY 2023 to help the unit as needed. MOPS' assumption is based on consideration of the following: (1) Since only two counties (Jackson and St. Louis) and the circuit attorney currently have conviction review units, MOPS would be responsible for reviewing actual innocence claims from 112 counties and any handled by the Attorney General as conflict prosecutor; (2) looking at what other states' statewide units have, and using Jackson County in particular, MOPS will need two experienced attorneys (with backgrounds in prosecution and defense) and an investigator. This bill, recognizing the need for adequate and meaningful staffing, also specifically provides for those three positions. The PS includes maximum salary of \$80,000 for each attorney and \$60,000 for the investigator. Total PS of \$220,000 and E&E of \$36,000. (The E&E is based on E&E of current resource prosecutors). The total cost adding PS and E&E is \$256,000.

**Oversight** notes that in their FY 2024 budget request, MOPS has asked for these new FTE in a New Decision Item (DI#1282002) for the same amounts described above. Oversight has added to MOPS' estimate the cost of fringe benefits.

**Oversight** notes in HB 3012 (2022), the Missouri Office of Prosecution Services (not to exceed 12 FTE) budget included four funds:

General Revenue (0101)	\$ 346,750
MOPS – Federal (0107)	\$1,165,341
MOPS Legal (0680)	\$2,197,380
MOPS Revolving (0844).	\$ 161,673
TOTAL	\$3,871,144

For simplicity, Oversight will assume the new conviction review unit will be paid for with by General Revenue funds (as requested in their NDI). Oversight notes the proposal requires MOPS to develop an application process, including fees (which shall be waived for indigence).

The Missouri Office of Prosecution Services shall have the power to create an application process for review of claims of actual innocence which shall not have any excessive fees and fees shall be waived in cases of indigence.

§552.020 – Behavioral health services for certain persons

In response to a previous version, officials from the **Department of Mental Health (DMH)** state the proposed legislation modifies provisions in section 552.020 relating to behavioral health services for certain individuals. This bill provides jail-based and outpatient competency restoration.

To address the increasing waitlist for admission to the inpatient facilities for competency restoration, DMH proposes jail-based competency restoration services to occur at four county jails. Services would include room/board and general medical care for ten beds at each site as well as community-based contracted staff from a local Certified Community Behavioral Health Organizations (CCBHO) to provide psychosocial treatment services and case management. Psychiatric medication services will be provided by the Forensic Mobile Team practitioners, who are employed by the DMH inpatient facilities. The four locations would be in St. Louis City, St. Louis County, Jackson County, and Greene County. DMH estimates the cost for each county jail to be \$500,000 per site, totaling \$2 million in General Revenue funds annually.

DMH additionally proposes outpatient competency restoration services to occur statewide. No additional cost is anticipated, as clients would be on bond and eligible for treatment services at a local Certified Community Behavioral Health Organization (CCBHO).

Total annual cost for FY24 and beyond is \$2.0 million.

**Oversight** does not have any information contrary to that provided by DMH. Therefore, Oversight will reflect DMH’s estimated impact to the General Revenue Fund and a program cost reimbursement to local political subdivisions. Oversight notes this proposal does not contain an emergency clause. Therefore, Oversight will reflect expenditures as \$1,666,667 in FY 2024 (10 months) and \$2,000,000 in FY 2025 and beyond.



In response to similar legislation from this year, Perfected HCS for HB Nos. 1082 & 1094, officials from the **Office of the State Courts Administrator** 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 for OSCA for this section in the fiscal note.

In response to similar legislation from this year, Perfected HCS for HB Nos. 1082 & 1094, officials from the **Kansas City Police Department** assumed the proposal will have no fiscal impact on their organization.

In response to similar legislation from this year, Perfected HCS for HB Nos. 1082 & 1094, officials from the **St. Joseph 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 this agency for this section.

§§552.020, 552.030, 552.040 & 552.080 – Criminal Proceedings Involving Mental Illness

**Oversight** assumes this amendment is codifying existing statute and will have no fiscal impact.  
§558.031 – Credit for jail time

In response to a previous version, **DOC** stated this proposal modifies provisions relating to jail-time credit. The department is unable to project a fiscal impact due to not knowing the amount of “additional” credit that may be awarded.

**Oversight** notes the provisions of this proposal allow the court to award additional credit toward the service of a sentence of imprisonment by changing the beginning of the credit accrual to after the offense occurred. Therefore, Oversight will reflect a range of \$0 (no additional credit awarded) to DOC’s estimated unknown impact for fiscal note purposes.

In response to similar legislation from 2023 (HB 1133), officials from the **St. Joseph 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 for this section.

§559.125 – Privileged information

In response to a previous version, officials from the **Department of Corrections (DOC)** state this modifies provisions relating to certain privileged information. DOC’s original response to this section was an unknown cost; however, after further review, it is determined that section 559.125 will have no impact on the DOC.

§§566.151 and 567.030 – Criminal offenses involving a child

In response to a previous version, **DOC** stated this proposal modifies provisions relating to criminal offenses involving a child. Section 566.151 changes the age of the victim from any person who is less than fifteen to less than seventeen years of age. Section 567.030 changes the age of the victim from less than eighteen years of age but older than fourteen to older than fifteen years of age. The bill changes the existing class D felony to a class B felony.

Regarding section 566.151, the increase in the minimum age under which a person can be considered enticed as a child could create additional instances in which a person could be charged with a crime under this section. However, there is no available data to determine the number of 16 and 17 year olds to whom this could have potentially applied. Therefore, the impact is an unknown cost.

Regarding section 567.030, there were two new court commitments to prison and one new probation case under this section during FY 2022. These offenses would be changed from class D felonies to class B felonies. The average sentence length for a class D felony sex and child abuse offense is 6.6 years, with 5.3 years spent in prison. Changing this to a class B felony would extend the sentence length to 9.0 years, with 7.2 years spent in prison.

The estimated cumulative impact on the department would be an additional 6 offenders in prison and an additional (2) offenders on field supervision by FY 2031.

**Change in prison admissions and probation openings with legislation-Class B Felony**

	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032	FY2033
<b>New Admissions</b>										
Current Law	3	3	3	3	3	3	3	3	3	3
After Legislation	3	3	3	3	3	3	3	3	3	3
<b>Probation</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	0	0	0	0	0	0	0	0	0	0
<b>Change (After Legislation - Current Law)</b>										
Admissions										
Probations										
<b>Cumulative Populations</b>										
Prison						2	5	6	6	6
Parole						-2	-4	-2	2	2
Probation										
<b>Impact</b>										
Prison Population						2	5	6	6	6
Field Population						-2	-4	-2	2	2
<b>Population Change</b>							<b>1</b>	<b>4</b>	<b>8</b>	<b>8</b>

	# to prison	Cost per year	Total Costs for prison	Change in probation & parole officers	Total cost for probation and parole # to probation & parole	Grand Total - Prison and Probation (includes 2% inflation)
Year 1	0	(\$9,499)	\$0	0	\$0	\$0

Year 2	0	(\$9,499)	\$0	0	\$0	0	\$0
Year 3	0	(\$9,499)	\$0	0	\$0	0	\$0
Year 4	0	(\$9,499)	\$0	0	\$0	0	\$0
Year 5	0	(\$9,499)	\$0	0	\$0	0	\$0
Year 6	2	(\$9,499)	(\$20,975)	0	\$0	(2)	(\$20,975)
Year 7	5	(\$9,499)	(\$53,487)	0	\$0	(4)	(\$53,487)
Year 8	6	(\$9,499)	(\$65,468)	0	\$0	(2)	(\$65,468)
Year 9	6	(\$9,499)	(\$66,778)	0	\$0	2	(\$66,778)
Year 10	6	(\$9,499)	(\$68,113)	0	\$0	2	(\$68,113)

If this impact statement has changed from statements submitted in previous years, it could be due to an increase/decrease in the number of offenders, a change in the cost per day for institutional offenders, and/or an increase in staff salaries.

If the projected impact of legislation is less than 1,500 offenders added to or subtracted from the department’s institutional caseload, the marginal cost of incarceration will be utilized. This cost of incarceration is \$26.024 per day or an annual cost of \$9,499 per offender and includes such costs as medical, food, and operational E&E. However, if the projected impact of legislation is 1,500 or more offenders added or removed to the department’s institutional caseload, the full cost of incarceration will be used, which includes fixed costs. This cost is \$87.46 per day or an annual cost of \$31,921 per offender and includes personal services, all institutional E&E, medical and mental health, fringe, and miscellaneous expenses. None of these costs include construction to increase institutional capacity.

DOC’s cost of probation or parole is determined by the number of P&P Officer II positions that are needed to cover its caseload. The DOC average district caseload across the state is 51 offender cases per officer. An increase/decrease of 51 cases would result in a cost/cost avoidance equal to the salary, fringe, and equipment and expenses of one P&P Officer II. Increases/decreases smaller than 51 offender cases are assumed to be absorbable.

In instances where the proposed legislation would only affect a specific caseload, such as sex offenders, the DOC will use the average caseload figure for that specific type of offender to calculate cost increases/decreases.

**Oversight** notes, from information provided by the State Courts Administrator, the following number of felony convictions under §566.151 and §567.030:

	<u>FY 2019</u>	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>
§566.151 felonies	15	19	25	22
§567.030 felonies	1	0	2	3

Oversight notes the felony convictions under §566.151 are a class F felony. Oversight will reflect DOC’s impact as an unknown impact to the General Revenue Fund. Oversight notes it

would take roughly 27 additional prisoners to reach the \$250,000 cost threshold. Oversight will assume a fiscal impact of less than \$250,000

§595.045 – Crime Victims’ Compensation Fund

In response to a previous version, officials from the **Department of Public Safety - Office of the Director (DPS)** state in CY 2022, there were 10,822 class E felony convictions. This data was pulled using charge level felony E with a charge disposition of Guilty Plea, Guilty Plea Written, Tried by Court- Guilty, Jury Verdict - Guilty, and Alford Plea. It does not include juvenile cases.

DPS assumes this will bring in an estimated \$500,000 ( $\$46 \times 10,822 = \$497,812$ ) into the Crime Victims’ Compensation Fund.

**Oversight** notes the provisions of this section state the court shall enter a judgment payable to the Crime Victims’ Compensation Fund of \$46 for a class E felony. Oversight also notes, from information provided by the Office of the State Courts Administrator, the following number of E felony convictions from FY 2019 through FY 2022:

<u>FY 2019</u>	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>
8,677	7,545	8,407	10,575

The average number of E felonies over this four-year period is 8,801 ( $8,677 + 7,545 + 8,407 + 10,575$ ). However, as the exact number of E felony convictions could vary widely from year to year, **Oversight will reflect an Unknown, greater than \$250,000 to the Crime Victims’ Compensation Fund.** Oversight notes the ending balance in the Crime Victims’ Compensation Fund as of February 28, 2023, is \$2,097,307.

§595.209 – Victim or witness notification

In response to similar legislation from 2023, Perfected HB 196, officials from the **Department of Public Safety - Office of the Director** 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.

§600.042 – State Public Defender funding

Officials from the **Office of the State Public Defender (SPD)** state the proposed legislation amending Section 600.042 would allow SPD to receive gifts and grants in a specified public defender fund up to the currently authorized amount of \$1,250,000. It is unknown how much will be received within a fiscal year.

SPD noted that a minimal amount of donations have been made to General Revenue (GR) using this statute. SPD has solicited grants from Americorp Vista for in-kind donations and would like

to solicit grants from the DOJ if the Quality Defense Act is passed. That legislation authorizes substantial grants for public defender organizations that have completed workload studies and are working to establish appropriate workloads. SPD would also investigate other grant funding available. The fiscal impact on General Revenue would be minimal as no funds have been deposited in GR as a result of the current statute.

**Oversight** assumes since no material amount of donations have been received by General Revenue through this statute, changing the designation to the new Public Defender – Federal and Other Fund would not create a material direct fiscal impact to the state.

In response to similar legislation from this year, Perfected HCS for HB Nos. 994, 52 & 984, officials from the **Office of the State Treasurer** 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 for this section.

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

Officials from the **Department of Natural Resources**, the **Department of Social Service**, the **MoDOT & Patrol Employees' Retirement System**, the **County Employees Retirement Fund** and the **Oversight Division** 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.

In response to a previous version, officials from the **Attorney General's Office**, the **Office of Administration - Administrative Hearing Commission**, the **Department of Economic Development**, the **Department of Higher Education and Workforce Development**, the **Department of Public Safety (Division of Alcohol and Tobacco Control, Fire Safety, Missouri Veterans Commission, Missouri Gaming Commission, State Emergency Management Agency)**, the **Missouri Department of Agriculture**, the **Missouri Ethics Commission**, the **Missouri Department of Transportation**, the **Missouri National Guard**, the **Platte County Board of Elections**, the **St. Louis County Board of Elections**, the **Newton County Health Department**, the **Lincoln County Assessor's Office**, the **Phelps County Sheriff's Office**, the **St. Louis County Health Department**, the **St. Louis County Police Department**, the **Public Education Employees' Retirement System**, the **Sheriff's Retirement System**, the **South River Drainage District**, the **St. Charles County PWS #2**, the **Wayne County PWS #2**, **Missouri State University**, the **Office of the State Auditor**, the **Joint Committee on Administrative Rules**, the **Joint Committee on Education, Legislative Research**, the **Oversight Division**, the **Missouri House of Representatives**, the **Missouri Senate**, the **Missouri Lottery**, the **Missouri Consolidated Health Care Plan** and the **State Tax Commission** each assumed 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.

In response to a previous version, officials from the **Metropolitan St. Louis Sewer District Employees Pension Plan** and the **Metropolitan St. Louis Sewer District** each assumed a minimal fiscal impact from this proposal.

In response to a previous version, officials from the **Office of Administration - Budget and Planning**, the **Department of Public Safety (Office of the Director, Missouri Highway Patrol)**, the **City of Kansas City**, the **Kansas City Health Department** and the **City of Springfield** 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.

In response to a previous version, officials from the **Office of the Secretary of State (SOS)** noted 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.

**Oversight** only reflects the responses received from state agencies and political subdivisions; however, other cities, counties, local election authorities, county health departments, recorder of deeds, nursing homes, county assessors, county auditors, circuit clerks, county collectors, county prosecutors, county treasurers, county public administrators, local law enforcement, fire protection districts, ambulance districts, school districts, hospitals and colleges were requested to respond to this proposed legislation but did not. A listing of political subdivisions included in the Missouri Legislative Information System (MOLIS) database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026	Fully Implemented (FY 2028)
<b>GENERAL REVENUE</b>				
<u>Cost – OSCA – continuation of expenditures (\$476.055) p. 11-13</u>	(\$1,666,667)	(\$2,000,000)	(\$2,000,000)	(\$2,000,000)

<u>FISCAL IMPACT – State Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026	Fully Implemented (FY 2028)
<u>Income</u> – (\$547.500) Application fees for review of a claim of actual innocence p.23	Unknown	Unknown	Unknown	Unknown
<u>Cost</u> – MOPS (\$547.500) New Conviction_Review Unit p. 23	\$0 or....	\$0 or...	\$0 or....	\$0 or could exceed...
Personal Service (3 FTE)	(\$183,333)	(\$222,200)	(\$224,422)	(\$224,422)
Fringe Benefits	(\$107,554)	(\$129,887)	(\$130,719)	(\$130,719)
Expense & Equipment	(\$30,000)	(\$36,900)	(\$37,823)	(\$37,823)
<u>Total cost</u> – MOPS	(\$320,887)	(\$388,897)	(\$392,964)	(\$392,964)
FTE Change – MOPS	3 FTE	3 FTE	3 FTE	3 FTE
<u>Transfer Out</u> – (\$552.020) DMH Jail-based competency restoration services and forensic mobile teams p. 23-24	(\$1,666,667)	(\$2,000,000)	(\$2,000,000)	(\$2,000,000)
<u>Savings</u> – DOC (\$558.031) Jail-time credit p. 25	\$0 to Unknown, Could exceed \$250,000	\$0 to Unknown, Could exceed \$250,000	\$0 to Unknown, Could exceed \$250,000	\$0 to Unknown, Could exceed \$250,000
<u>Cost</u> – DOC - Increased incarceration costs §§476.1300, 476.1302, 476.1304, 476.1306, 476.1308, 476.1310, 476.1313 & 565.240 p. 13-17	(\$23,748)	(\$58,134)	(\$79,062)	(\$82,256)
<u>Cost</u> – DOR – One-time IT Costs §§476.1300, 476.1302, 476.1304, 476.1306, 476.1308, 476.1310, 476.1313 & 565.240 p. 13-17	(\$33,653)	\$0	\$0	\$0

<u>FISCAL IMPACT – State Government (continued)</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026	Fully Implemented (FY 2028)
<u>Cost</u> – OA – potential payout of claims to LEF against a state employee for violating this proposal §§476.1300, 476.1302, 476.1304, 476.1306, 476.1308, 476.1310, 476.1313 & 565.240 p. 13-17	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
23				
<u>Cost</u> – DOC (§§566.151 and 567.030) p. 25-27 Increased incarceration costs	(Unknown)	(Unknown)	(Unknown)	Could exceed (\$65,468)
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b><u>(Unknown, could exceed \$3,461,622)</u></b>	<b><u>(Unknown, could exceed \$4,197,031)</u></b>	<b><u>(Unknown, could exceed \$4,222,026)</u></b>	<b><u>(Unknown, could exceed \$4,290,688)</u></b>
Estimated Net FTE Change on General Revenue	3 FTE	3 FTE	3 FTE	3 FTE
<b>STATEWIDE COURT AUTOMATION FUND (0270)</b>				
<u>Revenue</u> – OSCA – continuation of receipts received from \$7 court fee (§476.055) p. 11-13	\$3,380,858	\$4,057,029	\$4,057,029	\$4,057,029
<u>Cost</u> – OSCA – continuation of expenditures (§476.055) p.11-13	(\$2,205,263)	(\$2,646,315)	(\$2,646,315)	(\$2,646,315)
FTE Change (continuation) – OSCA (§476.055) p. 11-13	34 FTE	34 FTE	34 FTE	34 FTE
<b>ESTIMATED NET EFFECT ON THE STATEWIDE COURT AUTOMATION FUND</b>	<b><u>\$1,175,595</u></b>	<b><u>\$1,410,714</u></b>	<b><u>\$1,410,714</u></b>	<b><u>\$1,410,714</u></b>



<u>FISCAL IMPACT – State Government (continued)</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026	Fully Implemented (FY 2028)
Estimated Net FTE Change (continuation) for the Statewide Court Automation Fund	34 FTE	34 FTE	34 FTE	34 FTE
<b>CRIME VICTIMS’ COMPENSATION FUND (0681)</b>				
Revenue – DPS (§595.045) Class E felony fee p. 27-28	<u>Unknown, Greater than \$250,000</u>	<u>Unknown, Greater than \$250,000</u>	<u>Unknown, Greater than \$250,000</u>	<u>Unknown, Greater than \$250,000</u>
<b>ESTIMATED NET EFFECT ON THE CRIME VICTIMS’ COMPENSATION FUND</b>	<b><u>Unknown, Greater than \$250,000</u></b>	<b><u>Unknown, Greater than \$250,000</u></b>	<b><u>Unknown, Greater than \$250,000</u></b>	<b><u>Unknown, Greater than \$250,000</u></b>
<b>DIVISION OF FINANCE FUND (0550)</b>				
Revenue – DCI Licenses Fees §§436.550-436.572 (p.6-8)	\$5,550 to \$8,250	\$5,550 to \$8,250	\$5,550 to \$8,250	\$5,550 to \$8,250
Savings – DCI Chapter 367 Administrative Cost §§436.550-436.572 (p.6-8)	\$5,000 to \$7,500	\$5,000 to \$7,500	\$5,000 to \$7,500	\$5,000 to \$7,500
Loss – DCI Chapter 367 Licenses Fee §§436.550-436.572 (p.6-8)	<u>(\$5,000) to (\$7,500)</u>	<u>(\$5,000) to (\$7,500)</u>	<u>\$5,000 to \$7,500</u>	<u>\$5,000 to \$7,500</u>
<b>ESTIMATED NET EFFECT TO THE DIVISION OF FINANCE FUND (0550)</b>	<b><u>\$5,550 to \$8,250</u></b>	<b><u>\$5,550 to \$8,250</u></b>	<b><u>\$5,550 to \$8,250</u></b>	<b><u>\$5,550 to \$8,250</u></b>

<u>FISCAL IMPACT – State Government (continued)</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026	Fully Implemented (FY 2028)
<b>PUBLIC DEFENDER – FEDERAL AND OTHER FUND</b>				
<u>Income</u> - (\$600.042) Government grants, private gifts, donations, and bequests made to the Office of the Public Defender p. 28	\$0 to <u>Unknown</u>	\$0 to <u>Unknown</u>	\$0 to <u>Unknown</u>	\$0 to <u>Unknown</u>
<b>ESTIMATED NET EFFECT TO THE PUBLIC DEFENDER – FEDERAL AND OTHER FUND</b>	\$0 to <u>Unknown</u>	\$0 to <u>Unknown</u>	\$0 to <u>Unknown</u>	\$0 to <u>Unknown</u>
<b>LEGAL EXPENSE FUND (0692)</b>				
<u>Transfer In</u> – increase in appropriations to cover additional payouts §§476.1300, 476.1302, 476.1304, 476.1306, 476.1308, 476.1310, 476.1313 & 565.240 p.13-17	\$0 to <u>Unknown</u>	\$0 to <u>Unknown</u>	\$0 to <u>Unknown</u>	\$0 to <u>Unknown</u>
<u>Cost</u> – OA – potential payout claims against a state employee for violating this proposal §§476.1300, 476.1302, 476.1304, 476.1306, 476.1308, 476.1310, 476.1313 & 565.240 p. 13-17	\$0 to <u>(Unknown)</u>	\$0 to <u>(Unknown)</u>	\$0 to <u>(Unknown)</u>	\$0 to <u>(Unknown)</u>
<b>ESTIMATED NET EFFECT ON LEGAL EXPENSE FUND</b>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – Local Government (continued)</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026	Fully Implemented (FY 2028)
<u>Cost</u> – Counties - of examination of accounts and preparation of reports done on estate funds §475.275 p. 10-11	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<u>Costs</u> – County Circuits - increase to compensate jurors for service (§494.455) p.19-20	(Unknown, could exceed \$213,662)	(Unknown, could exceed \$213,662)	(Unknown, could exceed \$213,662)	(Unknown, could exceed \$213,662)
<u>Costs</u> – County Circuits - increase to compensate jurors who serve 2 days or less up to \$10/day (§494.455) p.19-20	(Up to \$23,664)	(Up to \$23,664)	(Up to \$23,664)	(Up to \$23,664)
<u>Transfer In</u> – (§552.020) from General Revenue p. 23-24	\$1,666,667	\$2,000,000	\$2,000,000	(\$2,000,000)
<u>Cost</u> – Jails (§552.020) Room/board and general medical care p. 23-24	(\$1,666,667)	(\$2,000,000)	(\$2,000,000)	(\$2,000,000)
<u>Savings/Cost</u> – Local Jails - implementing new provisions relating to setting bail or conditions of release (§544.453) p. 22-23	Unknown to (Unknown)	Unknown to (Unknown)	Unknown to (Unknown)	Unknown to (Unknown)
<u>Revenue</u> – on filing fees to go towards law library (§488.426) – from \$15 to \$20 – to beyond p. 19	\$171,140	\$171,140	\$171,140	\$171,140
<b>ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS</b>	<b><u>(Unknown, could exceed \$66,186)</u></b>	<b><u>(Unknown, could exceed \$66,186)</u></b>	<b><u>(Unknown, could exceed \$66,186)</u></b>	<b><u>(Unknown, could exceed \$66,186)</u></b>

FISCAL IMPACT – Small Business

Small businesses which do not follow the provisions of the proposal could be fiscally affected and could be charged criminally. There could be a direct fiscal impact to small businesses who sell software for electronic wills and estate planning as a result of this proposal.

Small businesses would be expected to comply with the requirements as a result of this proposal. (§431.204)

Small CPA businesses may be impacted by this proposal. (§475.275)

FISCAL DESCRIPTION

This proposal modifies provisions relating to judicial proceedings.

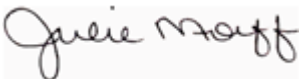
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the State Courts Administrator  
Attorney General's Office  
Department of Commerce and Insurance  
Department of Economic Development  
Department of Elementary and Secondary Education  
Department of Higher Education and Workforce Development  
Department of Health and Senior Services  
Department of Mental Health  
Department of Natural Resources  
Department of Labor and Industrial Relations  
Department of Social Services  
Joint Committee on Administrative Rules  
Joint Committee on Public Employee Retirement  
Missouri Lottery Commission  
Missouri Consolidated Health Care Plan  
Department of Agriculture  
Missouri Department of Conservation  
Missouri Ethics Commission  
Missouri House of Representatives  
Department of Transportation  
Office of Administration  
Office of the State Auditor  
Missouri Senate  
Office of the State Public Defender

MODOT & Patrol Employees' Retirement System  
Petroleum Storage Tank Insurance Fund  
City of Kansas City  
City of Springfield  
Jackson County Board of Elections  
Kansas City Board of Elections  
Platte County Board of Elections  
St. Louis County Board of Elections  
Newton County Health Department  
St. Louis County Health Department  
Lincoln County Assessor's Office  
Christian County Auditor's Office  
Clay County Auditor's Office  
Phelps County Sheriff's Office  
Kansas City Police Department  
St. Joseph Police Department  
St. Louis County Police Department  
County Employees Retirement Fund  
Kansas City Employees' Retirement System  
Kansas City Firefighter's Pension System  
Kansas City Public School Retirement System  
Kansas City Supplemental Retirement Plan  
Local Government Employees Retirement System  
Public Education Employees' Retirement System  
Sheriff's Retirement System  
Blackwater Reorganized Common Sewer District  
Little Blue Valley Sewer District  
Morgan County PWSD #2  
South River Drainage District  
Wayne County PWSD #2  
Missouri State University  
University of Central Missouri  
St. Charles Community College  
Joint Committee on Education  
Legislative Research  
Oversight Division  
Missouri Higher Education Loan Authority  
Missouri State Employees Retirement System  
Hancock Street Light District  
State Tax Commission  
Metropolitan St. Louis Sewer District Employees Pension Plan  
Office of the Governor  
Office of the Lieutenant Governor  
Missouri Office of Prosecution Services

St. Louis City  
Cole Camp Ambulance District  
Rock Community FPD Retirement Plan  
Office of Administration - Budget and Planning  
St. Charles County PWSD #2  
Andrew County PWSD #2  
Office of Administration  
    Administrative Hearing Commission  
    Budget and Planning  
Department of Public Safety  
    Office of the Director  
    Division of Alcohol and Tobacco Control  
    Capitol Police  
    Fire Safety  
    Missouri Gaming Commission  
    Missouri Highway Patrol  
    Missouri Veterans Commission  
    State Emergency Management Agency  
Missouri National Guard  
Kansas City Health Department  
Gordon Parks Elementary  
Cole County  
Branson Police Department  
Department of Corrections  
Office of the State Treasurer  
Office of the Secretary of State  
Department of Revenue  
St. Louis City Board of Elections  
Jackson County  
Mo State Employees Retirement System  
Local Government Employees Retirement System  
Metropolitan St. Louis Sewer District



Julie Morff  
Director  
May 10, 2023



Ross Strope  
Assistant Director  
May 10, 2023