COMMITTEE ON LEGISLATIVE RESEARCH OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0795H.04T

Bill No.: Truly Agreed To and Finally Passed HCS for SCS for SB 103

Subject: Boards, Commissions, Committees, and Councils; Courts; Fees; Children and

Minors; County Officials; County Government; Crimes and Punishment; Identity

Theft and Protection; Judges; Public Records, Public Meetings

Type: Original

Date: June 21, 2023

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

FISCAL SUMMARY

ESTIM	ESTIMATED NET EFFECT ON GENERAL REVENUE FUND										
FUND AFFECTED	FY 2024	FY 2025	FY 2026	Fully							
				Implemented							
				(FY 2028)							
General	(Unknown,	(Unknown,	(Unknown,	(Unknown,							
Revenue*/**/+/++/#	could exceed	could exceed	could exceed	could exceed							
Revenue 1/11/7/7/#	\$2,218,337)	\$2,648,025)	\$2,675,449)	\$2,691,956)							
Total Estimated	(Unknown,	(Unknown,	(Unknown,	(Unknown,							
Net Effect on	could exceed	could exceed	could exceed	could exceed							
General Revenue	\$2,218,337)	\$2,648,025)	\$2,675,449)	\$2,691,956)							

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

+Oversight assumes the bill clarifies the pay raises Court Reporters received (or were supposed to receive) on January 1, 2022, from TAFP HB 271 (2021). In the fiscal note for TAFP 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.

^{**}Oversight also assumes the Statewide Court Automation Fund will have <u>no</u> 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 balance for Fund 0270 at May 31, 2023 was \$4,997,509.

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++Oversight notes this proposal <u>repeals</u> (§488.650) the \$250 surcharge the state is currently allowed to collect under §488.650 to file a petition for expungement. Oversight assumes loses due to the proposal could reach the \$250,000 threshold.

#Oversight is unclear on how many claims could occur against a state employee for violating this proposal (476.1308).

E	STIMATED NET	EFFECT ON OTH	ER STATE FUND	S
FUND	FY 2024	FY 2025	FY 2026	Fully
AFFECTED				Implemented
				(FY 2028)
Statewide Court				
Automation Fund				
(0270)	\$1,175,595	\$1,410,714	\$1,410,714	\$1,410,714
Legal Expense				
Fund**	\$0	\$0	\$0	\$0
Division of				
Finance (0550)	\$85 to \$335	\$85 to \$335	\$85 to \$335	\$85 to \$335
Total Estimated				
Net Effect on				
Other State	\$1,175,680 to	\$1,410,799 to	\$1,410,799 to	\$1,410,799 to
Funds	\$1,175,930	\$1,411,049	\$1,411,049	\$1,411,049

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

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

ESTIN	ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)											
FUND	FY 2024	FY 2025	FY 2026	Fully								
AFFECTED				Implemented								
				(FY 2028)								
State Court												
Automation Fund												
(0270)*	34 FTE	34 FTE	34 FTE	34 FTE								
General Revenue												

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	0 or 4 FTE			
Total Estimated	T 41 20	Y 41 20	I (1 20	T 41 20
Net Effect on	Less than 38	Less than 38	Less than 38	Less than 38
FTE	FTE	FTE	FTE	FTE

^{*}Oversight notes these are a **continuation of current positions** and this bill simply removes the sunset of the Statewide Court Automation fund (and the funding of these positions)

- ⊠ 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	FY 2024	FY 2025	FY 2026	Fully								
AFFECTED				Implemented								
				(FY 2028)								
Local \$0 to \$0 to \$0												
Government	(Unknown)	(Unknown)	(Unknown)	(Unknown)								

FISCAL ANALYSIS

ASSUMPTION

§210.1360 - Disclosures of identifiable information regarding certain children

In response to similar legislation from 2023, Perfected HB 1010, officials from the **Office of the State Courts Administrator** and the **Gordon Parks Elementary School** 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.

§217.785 - Repeals Missouri Postconviction Drug Treatment Program

In response to similar legislation from 2023, Perfected HB 196, officials from the **Office of the State Courts Administrator** assumed the proposal will have no fiscal impact on their organization.

Also in response to Perfected HB 196, the **Department of Corrections** stated repealing §217.785 will have no financial impact on the department as the court still retains the authority to require an offender to participate in a non-institutional drug treatment program under

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§559.021 or may sentence an offender to a 120-day sentencing program under §559.036 or §559.115.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this section.

§§361.749, 436.550, 436.552, 436.554, 436.556, 436.558, 436.560, 436.562, 436.564. 436.566, 436.568, 436.570, 436.572 – Consumer Activities Regulated by the Division of Finance

Officials from the **Department of Commerce and Insurance (DCI) – Division of Finance (DOF)** assume the following:

Section 361.749

DOF assumes this section creates a registration requirement for businesses that provide earned wage access services with an annual registration fee of \$1,000 due on July 1 each year. For the purposes of this estimate, DOF assumes ten providers would register and renew annually, generating \$10,000 in revenue each fiscal year.

DOF is required to create forms and processes for initial registrations and reporting changes material to the registrant's information. The Division would also issue certificates of registration. Development of and revisions to forms and processes for the program is estimated to take 40 hours annually at \$25.00 per hour for a cost of \$1,000. Additionally, DOF assumes registration would be allowed via paper and electronically, which would require website development and maintenance at a cost of \$75 per hour, for an estimated 40 hours annually, resulting in a cost of \$3,000.

Review of registration applications by a Consumer Credit Examiner would take approximately one hour each, at an average of \$43.63 per hour. The processing and issuance of registration certificates by an Administrative Office Support Assistant would require an hour each at \$20.76 per hour. The total processing cost for each registration would be \$64.39. For the estimated 10 registrants, the estimated total annual cost is \$644.

Subsection 361.749.7

DOF assumes this subsection allows the Commissioner or a representative to make necessary investigations. The Division assumes each registrant would be examined every two years resulting in five examinations each year. Each exam is expected to take an estimated sixteen hours. At an average hourly rate of \$43.63, DOF estimates examination expenses at \$9,865 annually.

The Commissioner of the Division of Finance is also granted power to promulgate any necessary rules for administration of this section in Subsection nine. Promulgation and revision of administrative rules would require an estimated 40 hours annually by Associate Legal Counsel X \$43.27 per hour = \$1,731.

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Subsection ten allows for the imposition of penalties for failure to comply with this section. DOF assumes registrants would be compliant, and therefore, assumes no income from penalties.

Funds collected under this section and expenses paid as part of the administration of this section shall be deposited in and paid from the Division of Finance Fund.

In summary, DCI assumes a <u>net income</u> of \$135 from this section in each year to provide for the implementation of the changes in this proposal to the Division of Finance Fund.

Sections 436.550 – 436.572 - Consumer Legal Funding Act

DOF currently licenses and regulates these types of businesses under Chapter 367. DOF estimates 10-15 licenses would transition from licenses under Chapter 367 to licenses under Chapter 436.

Section 436.570

DOF assumes section 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).

Each licensee would be 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).

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 either type of license. For the purposes of this estimate, DOF assumes there would be no hearings required for Consumer Legal Funding Licensees.

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 Sections 436.550-436.572 would be shifted to existing staff, replacing the workload lost from Chapter 367 licenses and paid by the Division of Finance Fund (0550).

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

Revenue/Expenses	FY 2024	FY 2025	FY 2026	FY 2028
Licenses (Chapter 436)	\$5,550 -	\$5,550 -	\$5,550 -	
	\$8,250	\$8,250	\$8,250	\$5,550 - \$8,250
Processing &				
Applications/Administrative	(\$1,500) –	(\$1,500) –	(\$1,500) –	(\$1,500) –
Cost	(\$2,250)	(\$2,250)	(\$2,250)	(\$2,250)
Investigations &	(\$4,050) –	(\$4,050) –	(\$4,050) –	(\$4,050) –
Examinations	(\$5,800)	(\$5,800)	(\$5,800)	(\$5,800)
Chapter 367 Revenue Loss	(\$5,000-	(\$5,000-	(\$5,000-	(\$5,000-
	\$7,500)	\$7,500)	\$7,500)	\$7,500)
Chapter 367 Savings	\$5,000 -	\$5,000 -	\$5,000 -	
	\$7,500	\$7,500	\$7,500	\$5,000 - \$7,500
Total Expenses – Division				
of Finance Fund	(\$50) - \$200	(\$50) - \$200	(\$50) - \$200	(\$50) - \$200

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 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.

§431.204 – Covenants between Business Entities and its Owners

In response to similar legislation from 2023, HCS for SS for SCS for SB 72, officials from the **Department of Labor and Industrial Relations** assumed the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this section.

In response to similar legislation from 2023, HCS for SS for SCS for SB 72, 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.

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§§475.040 & 475.275 – Pooled Estate Accounts & Venue in Guardianship & Conservatorship Cases

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 for this agency for this section.

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 Fund

In response to a previous version, 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. 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:

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STATEWIDE COURT									
AUTOMATION FUND (0270)									
	110 10111111111111111111111111111111111								
		Receipts							
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										
					Statewide						
					Court						
				General	Automation	Unexpended					
	<u>Ap</u>	propriation		<u>Revenue</u>	<u>Fund</u>	<u>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	Red	quests Book							

Oversight notes this proposal will remove the sunset and extend the revenue and expenditures for the fund. Therefore, Oversight will use the average amount, from the tables above, to reflect the fiscal impact for this fund.

The appropriations for the Statewide Court Automation Fund includes 34 FTEs. **Oversight** assumes the 34 FTEs will also <u>continue</u> to be funded through the Statewide Court Automation program.

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

Officials from the **Department of Corrections (DOC)** assume §565.240 is modified to include posting personal information about judicial officers and their family members on the internet as a class D felony offense. 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
New Admissions										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	3	3	3	3	3	3	3	3	3	3
Probation										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	5	5	5	5	5	5	5	5	5	5
Change (After Legislatio	n - Current La	w)								
Admissions	3	3	3	3	3	3	3	3	3	3
Probations	5	5	5	5	5	5	5	5	5	5
Cumulative Populations										
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
Impact										
Prison Population	3	6	8	8	8	8	8	8	8	8
Field Population	5	10	16	19	22	22	22	22	22	22
Population Change	8	16	24	27	30	30	30	30	30	30

					Total cost		Grand Total -
				Change in	for		Prison and
				probation	probation	Change to	Probation
	# to	Cost per	Total Costs for	& parole	and	probation	(includes 2%
	prison	year	prison	officers	parole	& parole	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)

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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.

Officials from the **Department of Revenue (DOR)** assume 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

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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 2023 – 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

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Associate Research/Data Analyst 20 hrs. @ \$19.90/hr. = \$ 398 **Total Cost = \$1,669.80**

<u>DOR</u> 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.

Officials from the **Office of Administration (OA)** state 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 **Howell County Assessor's Office** assumed there will be an initial cost to implement the provisions of this proposal and an ongoing cost to maintain the provisions. An estimate for programming could be \$5,000 to \$10,000 initially and up to \$2,500 per year after implementation.

Oversight assumes the Howell County Assessor's Office is provided with core funding to handle a certain amount of activity each year. Oversight assumes the Howell County Assessor's Office could absorb the costs related to this proposal.

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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 Labor and Industrial Relations, the Petroleum Storage Tank Insurance Fund, the Christian County Auditor's Office, the St. Joseph Police Department, the St. Charles Community College, the Office of the Lieutenant Governor, the Kansas City Board of Elections, the Local Government Employees Retirement System, the Blackwater Reorganized Common Sewer District, the Little Blue Valley Sewer District, the Metropolitan St. Louis Sewer District Employees Pension Plan, St. Louis City, the Cole Camp Ambulance District, 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 Andrew County PWSD #2 and the Morgan County PWSD #2 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.

§485.060 – Court Reporters Compensation

In response to a previous version, 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:

	\$64,643
-	\$68,037
-	\$73,650
-	\$79,910
-	\$86,902
	- - -

Oversight notes officials from OSCA provided a previous listing of the current court reporters from 2021, but would 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 21+ years of service.

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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 assumes medical insurance fringe benefit expense per employee would not be impacted.

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 notes 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 bill.

§488.650 – Repeals \$250 surcharge on expungements

Oversight notes the provisions of this proposal <u>repeal</u> the \$250 surcharge the state is currently allowed to collect under §488.650 to file a petition for expungement. Oversight contacted the MHP and was provided with the following number of expungements processed through the Patrol for the previous three (3) <u>calendar</u> years:

2020 - 797 2021 - 957 2022 - 678

For purposes of this fiscal note, Oversight will take an average of these three years (797 + 957 + 678 = 2,432 / 3 = 811) and will reflect the loss to General Revenue as could exceed (\$168,958) for FY 2024 (10 months) and could exceed (\$202,750) for subsequent years. Oversight notes these proceeds are payable to the General Revenue Fund.

In response to a previous version, officials from the **Kansas City Police Department** and 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 organizations.

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§509.520 – Court Pleadings, Attachments, and Exhibits

Officials from the **Department of Labor and Industrial Relations (DOLIR)** state the Labor and Industrial Relations Commission (LIRC) is not a party to appeals from its decisions to the Court of Appeals. By statute, the LIRC is required to file the record on appeal, including the transcript, with the Court of Appeals in workers' compensation (287.495 RSMo) and unemployment (288.210 RSMo) cases. To the extent the proposed changes to section 509.520 RSMo apply to such filings by the LIRC with the Court of Appeals, compliance with the bill's redaction requirements for such filings will have a fiscal impact on the LIRC.

In FY22, 366 unemployment cases and 31 workers' compensation cases were appealed from the LIRC to the Court of Appeals. Those 397 cases required the LIRC to file approximately 67,000 pages with the Court of Appeals. The length of the hearing and the number of exhibits filed by the parties significantly contributes to the size of the record on appeal.

Under the proposed changes to section 509.520 RSMo, the LIRC would be required to:

- 1. Review each page to determine if it contains any "confidential and personal identifying information" as set forth in the bill;
- 2. Redact any such confidential and personal identifying information from the page;
- 3. Place text over each redaction to identify the category/type of information being redacted so that the redacted information can be logged in a confidential information filing sheet;
- 4. Log the redacted information in a confidential information filing sheet; and
- 5. Confirm the accuracy of the redactions and confidential information filing sheet before submission to the Court of Appeals.

When an appeal is filed, the Court of Appeals sets a strict time limit for the LIRC to file the record on appeal. Based on the approximately 67,000 pages filed with the Court of Appeals in FY22, the LIRC estimates that to timely accomplish the review, redaction, and completion of the confidential information filing sheet, four additional FTE will be required at an estimated cost of \$393,637 (for FY26) while an increased number of appeals would require additional staff.

```
Clerical
$53,287
              annual salary (current LIRC clerical salary)
              annual fringe (est. from HR Director)
$36,153
  475
              space/annual rent (est. from General Services)
$ 2,000
              equipment (est. from recently purchased equipment for LIRC staff)
$91,915 \times 3 = 275,745
Attorney
$ 70,183
              annual salary (est. using current LIRC attorney salary)
$ 42,736
              annual fringe (est. from HR Director)
$
     900
              space/annual rent (est. from General Services)
              equipment (est. from recently purchased equipment for LIRC staff)
$ 2,000
115,819 \times 1 = 115,819
```

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Oversight inquired DOLIR regarding their response as this proposal would add approximately 7 additional categories of information that DOLIR may have to redact pursuant to the provisions within §509.520.

DOLIR states LIRC attorneys on staff currently perform any redaction required. The current redaction requirements only apply to SSNs and credit card information. The increased volume of information subject to redaction will require an additional attorney and three clerical staff to share the load **if** the LIRC were found to be a "party" as the statute outlines when returning documents to the Court of Appeals.

As no confidential filing sheet is required of unemployment insurance and workers' compensation cases at this time, DOLIR currently has no dedicated staff to redact information. However, that changes with this bill, depending on whether or not the LIRC is considered a party to a case when returning documents to the Court of Appeals.

Oversight does not have information to the contrary and therefore, Oversight will reflect an estimate of \$0 (not a party to a case) or 4 additional FTE as estimated by DOLIR.

Officials from **Department of Corrections (DOC)** assume 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. Due to the small number of minors received, DOC assumes little to no impact on this section.

In response to similar legislation from this year, SS for SCS for SB 72, officials from 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, the Andrew County PWSD #2 and the Morgan County PWSD #2 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.

§595.209 – Victim or witness notification

Oversight assumes no fiscal impact from this part of the proposal.

Responses regarding the proposed legislation as a whole

Officials from the Attorney General's Office, the Office of Administration (Administrative Hearing Commission and Budget and Planning), the Department of Economic Development, the Department of Elementary and Secondary Education, the Department of Health and Senior Services, the Department of Higher Education and Workforce Development, the Department of Mental Health, the Department of Natural Resources, the Department of Public Safety (Division of Alcohol and Tobacco Control, Office of the Director, Capitol Police, Fire Safety, Missouri Gaming Commission, Missouri Highway

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Patrol, Missouri Veterans Commission, State Emergency Management Agency), the Department of Social Services, the Missouri Department of Conservation, the Missouri Department of Agriculture, the Missouri Ethics Commission, the Missouri Department of Transportation, the Missouri National Guard, the Office of the Governor, the MoDOT & Patrol Employees' Retirement System, the Office of the State Public Defender, the City of Kansas City, the City of Springfield, St. Louis County Board of Elections, the Jackson County Board of Elections, Platte County Board of Elections, the Kansas City Health Department, Newton County Health Department, the Phelps County Sheriff's Office, the Lincoln County Assessor's Office, the Clay County Auditor's Office, the Kansas City Public School Retirement Plan, the Sheriff's Retirement Fund, the County Employees Retirement Fund, the Public Education Employees' Retirement System, the Rock Community FPD Retirement Plan, the St. Louis County Police Department, the St. Charles County PWSD #2, the South River Drainage District, the Metropolitan St. Louis Sewer District, Wayne County PWSD #2, Missouri State University, the Joint Committee on Administrative Rules, the Joint Committee on Education, the Joint Committee on Public Employee Retirement, Legislative Research, the Oversight Division, the Missouri House of Representatives, the Missouri Senate, the Missouri Lottery Commission, the Missouri Consolidated Health Care Plan, the Missouri Office of Prosecution Services, the Missouri Higher Education Loan Authority, the Missouri State Employee's Retirement System, the State Tax Commission and the Hancock Street Light District 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.

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.

Except for the sections mentioned above, officials from the **DOC** assumes the proposal will have no other 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 those other sections.

Except for the sections mentioned above, officials from the **DCI** assumes the proposal will have no other 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 those other sections.

Except for the sections mentioned above, officials from the **DOR** assumes the proposal will have no other 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 those other sections.

In response to a previous version, officials from the St. Louis County Health Department, the Branson Police Department, the Office of the State Auditor and the University of Central Missouri 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 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.

FISCAL IMPACT – State	FY 2024	FY 2025	FY 2026	Fully
Government	(10 Mo.)			Implemented
				(FY 2028)
GENERAL REVENUE				
<u>Cost</u> – OSCA – continuation of				
expenditures §476.055 p.7-8	(\$1,666,667)	(\$2,000,000)	(\$2,000,000)	(\$2,000,000)
<u>Cost</u> – DOC - Increased				
incarceration costs §§476.1300,				
476.1302, 476.1304, 476.1306,				
476.1308, 476.1310, 476.1313 &				
565.240 p.9	(\$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	(\$33,653)	\$0	\$0	\$0
p.12				
<u>Loss</u> – §488.650 - Repeal of	Could	Could	Could	Could
\$250 expungement surcharge	exceed	exceed	exceed	exceed
p.14	(\$168,958)	(\$202,750)	(\$202,750)	(\$202,750)

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FISCAL IMPACT – State Government	FY 2024 (10 Mo.)	FY 2025	FY 2026	Fully Implemented (FY 2028)
Cost – 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	\$0 to	\$0 to	\$0 to	\$0 to
p.12	(Unknown)	(Unknown)	(Unknown)	(Unknown)
<u>Cost</u> – DOLIR §509.520 p.16	\$0 or	\$0 or	\$0 or	\$0 or
Personal Service	(\$191,703)	(\$234,645)	(\$239,338)	(\$249,007)
Fringe Benefits	(\$123,670)	(\$150,125)	(\$151,880)	(\$155,426)
Equipment & Expense	(\$9,938)	(\$2,372)	(\$2,419)	(\$2,517)
Total Costs – DOLIR	(\$325,311)	(\$387,141)	(\$393,637)	(\$406,950)
FTE Change – DOLIR	0 or 4 FTE	0 or 4 FTE	0 or 4 FTE	0 or 4 FTE
TIZ change Bozht	O OI IIIE	0 01 1112	0 01 11 12	0 01 1112
	(Unknown,	(Unknown,	(Unknown,	(Unknown,
ESTIMATED NET EFFECT	<u>could</u>	<u>could</u>	<u>could</u>	<u>could</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>exceed</u>	<u>exceed</u>	<u>exceed</u>	<u>exceed</u>
ON GENERAL REVENUE	<u>exceed</u>	<u>exceed</u>	<u>exceed</u>	<u>exceed</u>
ON GENERAL REVENUE Estimated Net FTE Change on	<u>exceed</u> <u>\$2,218,337)</u>	<u>exceed</u> \$2,648,025)	<u>exceed</u> \$2,675,449)	<u>exceed</u> <u>\$2,691,956)</u>
ON GENERAL REVENUE	<u>exceed</u>	<u>exceed</u>	<u>exceed</u>	<u>exceed</u>
ON GENERAL REVENUE Estimated Net FTE Change on	<u>exceed</u> <u>\$2,218,337)</u>	<u>exceed</u> \$2,648,025)	<u>exceed</u> \$2,675,449)	<u>exceed</u> <u>\$2,691,956)</u>
ON GENERAL REVENUE Estimated Net FTE Change on	<u>exceed</u> <u>\$2,218,337)</u>	<u>exceed</u> \$2,648,025)	<u>exceed</u> \$2,675,449)	<u>exceed</u> <u>\$2,691,956)</u>
ON GENERAL REVENUE Estimated Net FTE Change on	<u>exceed</u> <u>\$2,218,337)</u>	<u>exceed</u> \$2,648,025)	<u>exceed</u> \$2,675,449)	<u>exceed</u> <u>\$2,691,956)</u>
ON GENERAL REVENUE Estimated Net FTE Change on	<u>exceed</u> <u>\$2,218,337)</u>	<u>exceed</u> \$2,648,025)	<u>exceed</u> \$2,675,449)	<u>exceed</u> <u>\$2,691,956)</u>
ON GENERAL REVENUE Estimated Net FTE Change on	<u>exceed</u> <u>\$2,218,337)</u>	<u>exceed</u> \$2,648,025)	<u>exceed</u> \$2,675,449)	<u>exceed</u> <u>\$2,691,956)</u>
ON GENERAL REVENUE Estimated Net FTE Change on	<u>exceed</u> <u>\$2,218,337)</u>	<u>exceed</u> \$2,648,025)	<u>exceed</u> \$2,675,449)	<u>exceed</u> <u>\$2,691,956)</u>
ON GENERAL REVENUE Estimated Net FTE Change on	<u>exceed</u> <u>\$2,218,337)</u>	<u>exceed</u> \$2,648,025)	<u>exceed</u> \$2,675,449)	<u>exceed</u> <u>\$2,691,956)</u>
ON GENERAL REVENUE Estimated Net FTE Change on	<u>exceed</u> <u>\$2,218,337)</u>	<u>exceed</u> \$2,648,025)	<u>exceed</u> \$2,675,449)	<u>exceed</u> <u>\$2,691,956)</u>
ON GENERAL REVENUE Estimated Net FTE Change on	<u>exceed</u> <u>\$2,218,337)</u>	<u>exceed</u> \$2,648,025)	<u>exceed</u> \$2,675,449)	<u>exceed</u> <u>\$2,691,956)</u>
ON GENERAL REVENUE Estimated Net FTE Change on	<u>exceed</u> <u>\$2,218,337)</u>	<u>exceed</u> \$2,648,025)	<u>exceed</u> \$2,675,449)	<u>exceed</u> <u>\$2,691,956)</u>
ON GENERAL REVENUE Estimated Net FTE Change on	<u>exceed</u> <u>\$2,218,337)</u>	<u>exceed</u> \$2,648,025)	<u>exceed</u> \$2,675,449)	<u>exceed</u> <u>\$2,691,956)</u>
ON GENERAL REVENUE Estimated Net FTE Change on	<u>exceed</u> <u>\$2,218,337)</u>	<u>exceed</u> \$2,648,025)	<u>exceed</u> \$2,675,449)	<u>exceed</u> <u>\$2,691,956)</u>
ON GENERAL REVENUE Estimated Net FTE Change on	<u>exceed</u> <u>\$2,218,337)</u>	<u>exceed</u> \$2,648,025)	<u>exceed</u> \$2,675,449)	<u>exceed</u> <u>\$2,691,956)</u>

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FISCAL IMPACT – State Government	FY 2024 (10 Mo.)	FY 2025	FY 2026	Fully Implemented (FY 2028)
LEGAL EXPENSE FUND (0692)				
Transfer In – increase in appropriations to cover additional payouts §§476.1300, 476.1302, 476.1304, 476.1306, 476.1308, 476.1310, 476.1313 & 565.240 p. 12	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
Cost – 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. 12	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
ESTIMATED NET EFFECT ON LEGAL EXPENSE FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

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FISCAL IMPACT – State Government	FY 2024 (10 Mo.)	FY 2025	FY 2026	Fully Implemented (FY 2028)
STATEWIDE COURT AUTOMATION FUND (0270)				
Revenue – OSCA – continuation of receipts received from \$7 court fee (§476.055) p.7-8	\$3,380,858	\$4,057,029	\$4,057,029	\$4,057,029
Cost – OSCA – continuation of expenditures (§476.055) p.7-8	(\$2,205,263)	(\$2,646,315)	(\$2,646,315)	(\$2,646,315)
FTE Change (continuation) – OSCA p.7-8	34 FTE	34 FTE	34 FTE	34 FTE
ESTIMATED NET EFFECT ON THE STATEWIDE COURT AUTOMATION FUND	\$1,175,595	\$1,410,714	\$1,410,714	\$1,410,714
Estimated Net FTE Change (continuation) for the Statewide Court Automation Fund	34 FTE	34 FTE	34 FTE	34 FTE
	1			

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FISCAL IMPACT – State Government	FY 2024 (10 Mo.)	FY 2025	FY 2026	Fully Implemented
Government	(10 1/10.)			(FY 2028)
				(1 1 2020)
DIVISION OF FINANCE				
FUND (0550)				
Revenue – DCI				
Registration Fees				
§361.749.2 p.4-6	\$10,000	\$10,000	\$10,000	\$10,000
Revenue – DCI				
Licenses Fees	\$5,500 to	\$5,500 to	\$5,500 to	\$5,500 to
§§436.550-436.572 p.4-6	\$8,250	\$8,250	\$8,250	\$8,250
Savings – DCI	* • • • • • • • • • • • • • • • • • • •	4.5 0.00	* • • • • •	* • • • • •
Chapter 367 Administrative	\$5,000 to	\$5,000 to	\$5,000 to	\$5,000 to
Cost §§436.550-436.572 p.4-6	\$7,500	\$7,500	\$7,500	\$7,500
Cost – DCI				
Administrative Cost				
§361.749 p.4-6	(\$9,865)	(\$9,865)	(\$9,865)	(\$9,865)
3301.713 p. 1 0	(ψ),003)	(ψ),003)	(ψ2,003)	(ψ,,ους)
Cost – DCI				
Licenses §§436.550-436.572	(\$5,550 to	(\$5,550 to	(\$5,550 to	(\$5,550 to
p.4-6	\$8,050)	\$8,050)	\$8,050)	\$8,050)
		. ,		. ,
Loss – DCI				
Chapter 367 Licenses Fee	(\$5,000 to	(\$5,000 to	(\$5,000 to	(\$5,000 to
§§436.550-436.572 p.4-6	\$7,500)	\$7,500)	\$7,500)	\$7,500)
ESTIMATED NET EFFECT				
TO THE DIVISION OF	0054 0335	mos 4 maas	4054 4335	005 4 0335
FINANCE FUND (0550)	<u>\$85 to \$335</u>	<u>\$85 to \$335</u>	<u>\$85 to \$335</u>	<u>\$85 to \$335</u>

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FISCAL IMPACT – Local	FY 2024	FY 2025	FY 2026	Fully
Government	(10 Mo.)			Implemented
				(FY 2028)
COUNTIES				
<u>Cost</u> – of examination of				
accounts and preparation of				
reports done on estate funds	<u>\$0 to</u>	<u>\$0 to</u>	<u>\$0 to</u>	<u>\$0 to</u>
§§475.040 & 475.275 p.7	(Unknown)	(Unknown)	(Unknown)	(Unknown)
ESTIMATED NET EFFECT	<u>\$0 to</u>	<u>\$0 to</u>	<u>\$0 to</u>	<u>\$0 to</u>
ON COUNTY FUNDS	(Unknown)	(Unknown)	(Unknown)	(Unknown)

FISCAL IMPACT – Small Business

Small businesses which do not follow the provisions of the proposal could be fiscally affected and could be charged criminally.

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

A direct fiscal impact to a business that engages in the business of earned wage access services would be expected as a result of this proposal. (§§361.749, 436.550, 436.552, 436.554, 436.556, 436.558, 436.560, 436.562, 436.564. 436.566, 436.568, 436.570, 436.572)

Small CPA businesses may be impacted by this proposal. (§§475.040 & 475.275)

FISCAL DESCRIPTION

§§361.749, 436.550, 436.552, 436.554, 436.556, 436.558, 436.560, 436.562, 436.564. 436.566, 436.568, 436.570, 436.572 – Consumer Activities Regulated by the Division of Finance

Establishes provisions relating to consumer activities regulated by the division of finance.

§§475.040 & 475.275 – Pooled Estate Accounts & Venue in Guardianship & Conservatorship Cases

The bill provides that a guardianship or conservatorship proceeding may be transferred to a court in another county if it appears to the court that at any time before the termination of a guardianship or conservatorship that the domicile, instead of the domicile or residence, of the ward or protectee has changed to another county.

Currently, the Public Administrator of Jackson County, when serving as a conservator, is required to have any pooled accounts audited at least once a year. The audit will provide a review of the records of receipts and disbursements and each estate account. Upon completion of

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the audit, the accountant must render a report to the judge showing receipts, disbursements, and account balances as to each estate as well as the total assets on deposit in the pooled account on the last calendar day of each year. This bill repeals the provisions and instead provides that a public administrator of any county serving as a conservator or personal representative using pooled accounts for the management of estate funds must have such accounts examined on an annual basis. What the examination entails is specified in the bill.

§476.055 – Statewide Court Automation Fund

This act modifies provisions relating to court automation, including increasing the number of members of the Court Automation Committee and extending the expiration date of the provision regarding the court automation.

Currently, there are twenty-three members of the Court Automation Committee. This act increase the number of members to twenty-five by adding two employees who work full-time in a municipal division of a circuit court.

This act repeals the provision requiring the Court Automation Committee to complete its duties by September 1, 2025, and repeals the expiration date for the provision establishing the Statewide Court Automation Fund and the Court Automation Committee.

§485.060 – Court Reporters Compensation

This act modifies the annual salary of court reporters for a circuit judges by providing that the percentage based on each court reporter's cumulative years of service with the circuit courts shall include the percentage increases for the previous range of years of service. Additionally, this act repeals the provision stating that a court reporter may receive multiple adjustments as his or her years of service increase, but that only one percentage increase shall apply to the annual salary at a time.

§§476.1300 to 476.1313 – Judicial Privacy Act

This act establishes the "Judicial Privacy Act", which provides restrictions on the use of a judicial officer's personal information.

Upon receiving a written request, a government agency, as defined in the act, shall not publicly post or display a judicial officer's personal information in publicly available content, which includes documents or records that may be obtained by any person or entity, from the internet, upon request to the government agency, or in response to a request pursuant to the Missouri Sunshine Law or the federal Freedom of Information Act. A written request is a written or electronic notice signed by the judicial officer and submitted to the clerk of the Supreme Court of Missouri, or for a federal judicial to that judicial officer's clerk of the court, for transmittal to the government agency, person, business, or association.

Additionally, after receiving a written request, the government agency shall remove the judicial officer's personal information from publicly available content within five business days. After removal, the government agency shall not publicly post or display the information and such

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information shall be exempted from the Missouri Sunshine Law, unless the government agency has received written consent from the judicial officer to make the information available to the public. If a government agency fails to comply with a written request, the judicial officer may bring an action for injunctive or declaratory relief in any court of competent jurisdiction. If the court grants injunctive or declaratory relief, the court may award costs and reasonable attorney's fees to the judicial officer.

No person, business, or association shall publicly post or display on the internet content that includes a judicial officer's personal information, provided that the judicial officer has made a written request to the person, business, or association that it refrain from disclosing the personal information. Additionally, this act provides that no person, business, or association shall solicit, sell, or trade on the internet a judicial officer's personal information for purposes of harassing, intimidating, or influencing a judicial officer in violation of the offense of tampering with a judicial officer or with the intent to pose an imminent and serious threat to the health and safety of the judicial officer or the judicial officer's immediate family.

A person, business, or association shall have five business days to remove the judicial officer's personal information after receiving a written request. Additionally, after receiving a request, the person, business, or association shall continue to ensure that the judicial officer's personal information is not made available on any website controlled by the person, business, or association and shall not make public through any medium the judicial officer's personal information to any other person, business, or association.

If a judicial officer's personal information is made public in violation of this act, the judicial officer may bring an injunctive or declaratory action in any court of competent jurisdiction. If the court grants injunctive or declaratory relief, the person, business, or association responsible for the violation shall be required to pay the judicial officer's costs and reasonable attorney's fees.

No government agency, person, business, or association shall have violated this act if the judicial officer fails to submit a written request calling for the protection of the officer's personal information. A written request shall be valid if the judicial officer sends a written request directly to a government agency, person, business, or association, or if the judicial officer complies with a Missouri Supreme Court rule for filing of a written request to the clerk of the Missouri Supreme Court or the clerk's designee to notify government agencies.

Each calendar quarter, the clerk of the Missouri Supreme Court shall provide a list of all state judicial officers who have submitted a request to the appropriate officer with ultimate supervisory authority for a government agency. The officer shall promptly provide a copy to all agencies under his or her supervision. Receipt of the clerk's written request list shall constitute a written request to the agency for purposes of this act.

Additionally, this act provides that the clerk of the court where the judicial officer serves may submit a written request on the judicial officer's behalf, provided that the judicial officer gives

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written consent to the clerk and provided that the clerk agrees to furnish a copy of that consent with the written request.

A judicial officer's written request shall specify what personal information shall be maintained as private. If a judicial officer wishes to identify a secondary residence as a home address, the designation shall be made in the written request. A judicial officer shall disclose the identity of his or her immediate family and indicate that the personal information of the family shall be also be excluded to the extent that it could reasonably be expected to reveal the personal information of the judicial officer.

A judicial officer's written request is valid until the judicial officer provides a written consent to release the personal information. A judicial officer's written request expires on such judicial officer's death. Additionally, this act shall not apply to disclosures required by provisions of law regarding lobbyist activities and campaign finance.

Written requests transmitted to a recorder of deeds shall only include information specific to eligible documents maintained by that county. Not more than five business days after the date on which the recorder of deeds receives the written request, the recorder shall shield the eligible documents listed in the written request and shall electronically reply to the written request with a list of any document not found in the records maintained by that recorder. In order to shield subsequent eligible documents, the judicial officer shall present a copy of their written request to the recorder at the time of recording and the recorder shall ensure that the eligible document is shielded within five business days. Eligible documents shall remain shielded until the recorder receives a court order or notarized affidavit signed by the judicial officer directing the recorder to terminate shielding. No recorder shall be liable for any damages under this provision, provided the recorder made a good faith effort to comply with such provisions and no recorder shall be liable for the release of any eligible document or any data from such documents that were released or accessed prior to the document being shielded.

§488.650 – Repeals \$250 surcharge on expungements

This act repeals provisions relating to the \$250 surcharge to file a petition for expungement.

§509.520 – Exclusion of Personal Information of Minors in Court Documents

This act also provides that beginning August 28, 2023, pleadings, attachments, or exhibits filed with the court in any case, as well as judgments issued by the court, shall not include any personal information of a minor and, if applicable, any next friend. However, such information shall be provided in a confidential filing sheet, which shall not be subject to public inspection or availability.

§565.240 – Unlawful Posting of Certain Information

Currently, the unlawful posting of certain information of any law enforcement officer, corrections officer, parole officer, judge, commissioner, or prosecuting attorney, or of any immediate family member of such person, that intends to or threatens to cause great bodily harm or death shall be a class E felony. This act provides that if such unlawful posting of certain information that intends to or threatens to cause great bodily harm or death actually results in

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bodily harm or death to such person or immediate family member, the offense shall be a class D felony.

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

Missouri Office of Prosecution Services

Office of Administration

Administrative Hearing Commission

Budget and Planning

Attorney General's Office

Department of Revenue

Missouri Department of Transportation

Kansas City

City of Springfield

Branson Police Department

Kansas City Police Department

St. Louis County Police Department

Phelps County Sheriff'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

Missouri Department of Conservation

Missouri House of Representatives

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

Jackson County Board of Elections

Kansas City Board of Elections

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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

St. Joseph 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

St. Louis City

Cole Camp Ambulance District

Rock Community FPD Retirement Plan

St. Charles County PWSD #2

Andrew County PWSD #2

Department of Public Safety

Missouri National Guard

Howell County Assessor's Office

Metropolitan St. Louis Sewer District

Department of Corrections

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Office of the Secretary of State Kansas City Health Department Missouri Ethics Commission Missouri Department of Agriculture

Julie Morff Director June 21, 2023 Ross Strope Assistant Director June 21, 2023