

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1580S.01I  
 Bill No.: SB 384  
 Subject: Probation and Parole; Department of Corrections; Governor and Lieutenant Governor; Crimes and Punishment; General Assembly  
 Type: Original  
 Date: March 15, 2023

Bill Summary: This proposal modifies provisions relating to the supervision of adult offenders on probation or parole from other states.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
General Revenue	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0 or Unknown</b>	<b>\$0 or Unknown</b>	<b>\$0 or Unknown</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Missouri Interstate Compact Act	Less than \$252,438	Less than \$302,925	Less than \$302,925
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>Less than \$252,438</b>	<b>Less than \$302,925</b>	<b>Less than \$302,925</b>

Numbers within parentheses: () indicate costs or losses.

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

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

- 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>			
<b>FUND AFFECTED</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Repeals §217.810 and implements §§217.035, 217.650, 217.670, 217.710, 217.720, 548.241, 589.564, and 589.565 – Interstate compact

Officials from the **Department of Corrections (DOC)** state this proposal repeals the Interstate Compact for supervision of parolees and probationers and modifies the Interstate Compact for adult offender supervision.

The bill introduces language that authorizes Missouri courts, upon petition of the state, to add conditions to the terms of supervision of offenders covered under the Interstate Compact. The bill also introduces language that authorizes the Division of Probation & Parole to impose sanctions and additional conditions in response to violations of the rules of conduct for offenders covered under the Interstate Compact.

The bill also introduces a fee for application for an offender to request an interstate transfer and it delineates certain funding to be used in activities involving offenders covered under the Interstate Compact for Adult Offender Supervision.

In 2022, Missouri submitted 2,884 outgoing transfers for Interstate Compact. This figure will be used to estimate the number of transfers in all subsequent years. Approximately 40% of transfers or 1,153 offenders (2,884 x .40) are projected to be indigent and would receive a waiver of the \$175 fee. The DOC assumes the remaining 1,731 offenders would be able to pay the \$175 application fee required for transfer.

Based on the estimate of approximately 1,731 offenders that would be able to pay the application fee, the department estimates that the Interstate Compact Fund could see \$302,925 (1,731 offenders x \$175) revenue deposited into the Missouri Interstate Compact Fund each year. These funds shall be used for the costs of administration of these provisions.

	Number of Interstate Compact Transfer Applications	Cost per Transfer	Total Revenue Collected
Year 1	1,731	\$175	\$252,438
Year 2	1,731	\$175	\$302,925
Year 3	1,731	\$175	\$302,925
Year 4	1,731	\$175	\$302,925
Year 5	1,731	\$175	\$302,925
Year 6	1,731	\$175	\$302,925
Year 7	1,731	\$175	\$302,925
Year 8	1,731	\$175	\$302,925
Year 9	1,731	\$175	\$302,925
Year 10	1,731	\$175	\$302,925

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

**Oversight** notes under current law, all necessary expenses accrued as a result of a person being returned to Missouri pursuant to the Interstate Compact for the Supervision of Parolees and Probationers shall be paid out of the state treasury. This act repeals this provision and provides that any person being returned to Missouri pursuant to the Interstate Compact for Adult Offender Supervision shall be paid out of either the "Missouri Interstate Compact Fund" or out of the state treasury.

Section 589.565 states a Missouri probationer or parolee requesting a transfer of their supervision through this compact shall pay a \$175 application fee and these moneys will be used for the sole benefit of the DOC in support of the administration of this section. Therefore, for purposes of this fiscal note, Oversight assumes transportation expenses will be paid out of the Missouri Interstate Compact Fund and will reflect a negative unknown cost to the fund. However, if the Missouri Interstate Compact Fund does not have moneys available due to the number of offenders granted a waiver of the transfer application fee, there could be an impact to the state treasury. In response to similar legislation from 2022 (HB 1896), officials from the Department of Corrections clarified that the state treasury is the General Revenue Fund. Therefore, Oversight will reflect a potential savings from the deletion of §217.810.4.

Officials from the **Missouri Office of Prosecution Services (MOPS)** assume the proposal will have no measurable fiscal impact on MOPS. The creation of an additional responsibility (589.564.1) for county prosecutors and the circuit attorney may, in turn, result in additional costs, which are difficult to determine.

Officials from the **Office of the Governor** and the **Office of the State Courts Administrator** each assume the proposal will have no fiscal impact on their respective organizations.

In response to similar legislation from 2022 (HB 1896), 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.

**Oversight** only reflects the responses received from state agencies and political subdivisions; however, other county prosecutors and circuit clerks 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
<b>GENERAL REVENUE</b>			
<u>Savings</u> – Removal of expense in deletion of §217.810.4 – expenses now possibly paid from Missouri Interstate Compact Fund p. 4	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>
<b>ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND</b>	<b><u>\$0 or Unknown</u></b>	<b><u>\$0 or Unknown</u></b>	<b><u>\$0 or Unknown</u></b>
<b>MISSOURI INTERSTATE COMPACT FUND</b>			
<u>Revenue</u> – DOC (§589.565) Transfer application fee p. 3-4	\$252,438	\$302,925	\$302,925
<u>Cost</u> – DOC (§589.565) Transportation expenses p. 3-4	(Unknown)	(Unknown)	(Unknown)
<b>NET EFFECT ON THE MISSOURI INTERSTATE COMPACT FUND</b>	<b><u>Less than \$252,438</u></b>	<b><u>Less than \$302,925</u></b>	<b><u>Less than \$302,925</u></b>

<u>FISCAL IMPACT – Local Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

This act modifies provisions relating to the supervision of adult offenders on probation or parole from other states.

MISSOURI STATE COMPACT FUND (Section 589.565)

Under this act, a Missouri probationer or parolee seeking transfer of his or her supervision pursuant to the Interstate Compact for Adult Offender Supervision shall pay a \$175 fee for each application, unless waived by the compact commissioner for an undue economic burden on the offender.

This act establishes the "Missouri State Compact Fund" and all fees collected by the commissioners shall be paid to the Fund. The money from the Fund shall be used for the sole benefit of the Department of Corrections to pay the expenses of the Interstate Compact for Adult Offender Supervision.

INTERSTATE COMPACT FOR THE SUPERVISION OF PAROLEES (Sections 217.035 to 217.810)

This act repeals the provisions of the "Interstate Compact for the Supervision of Parolees and Probation" which permits the Governor to enter into an interstate compact with contracting states to allow people convicted of an offense and placed on probation or released on parole to reside in any other state party to the compact.

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

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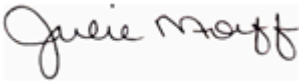
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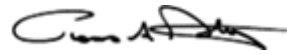
March 15, 2023

SOURCES OF INFORMATION

Department of Corrections  
Missouri Office of Prosecution Services  
Office of the Governor  
Office of the State Courts Administrator  
Office of the State Treasurer



Julie Morff  
Director  
March 15, 2023



Ross Strobe  
Assistant Director  
March 15, 2023