

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4346S.02I
 Bill No.: SB 869
 Subject: Crimes and Punishment; Courts; Criminal Procedure; Law Enforcement Officers and Agencies; Judges; Victims of Crime
 Type: Original
 Date: February 23, 2024

Bill Summary: This proposal creates provisions relating to lifetime protection orders.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
General Revenue	(\$750,000 to \$1,000,000)	\$0	\$0
Total Estimated Net Effect on General Revenue	(\$750,000 to \$1,000,000)	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on FTE	0	0	0

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§455.098 – Lifetime Protection Orders

Officials from the **Office of the State Courts Administrator (OSCA)** state there may have some impact but there is no way to quantify that currently. Section 455.098 would have a technological fiscal impact that would be at least \$750,000 to \$1,000,000. Any significant changes will be reflected in future budget requests.

Oversight inquired OSCA about their response. OSCA states for the protection order to be extended to the lifetime of the respondent, the Statewide Case Management System (SMC) might require modifications and the interface with the Missouri Highway Patrol might require modifications. The uncertainty of the technical requirements/impact of this proposed legislation is what is driving the estimated amount of the fiscal impact. If more information can be provided regarding how the lifetime protection order process will be implemented, the estimated fiscal impact can be revisited.

Oversight does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by the OSCA and will also assume the technological modifications would occur as a one-time expense in FY25.

Officials from the **Attorney General's Office**, the **Department of Corrections**, the **Missouri Highway Patrol**, the **Department of Social Services**, the **Missouri Office of Prosecution Services**, the **Office of the State Public Defender**, the **Phelps County Sheriff's Office**, the **Branson Police Department**, the **Kansas City Police Department** and the **St. Louis County Police Department** 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.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other local law enforcement agencies 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 2025 (10 Mo.)	FY 2026	FY 2027
GENERAL REVENUE			
<u>Cost – OSCA – technological modifications to the SMC System §455.098</u>	<u>(\$750,000 to \$1,000,000)</u>	<u>\$0</u>	<u>\$0</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>(\$750,000 to \$1,000,000)</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
	<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 provides that a court shall have jurisdiction at the time of sentencing to enter a lifetime protection order restraining or enjoining the defendant from contacting the victim if the defendant has been found guilty of a dangerous felony. The protection order shall be effective immediately and shall be served on the defendant at the time of sentencing. Such order shall be valid for the defendant's lifetime unless:

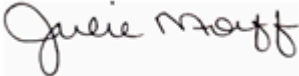
- The victim dies;
- The conviction is dismissed, expunged, or overturned or the defendant has been pardoned; or
- The victim submits a written request to terminate the order.

If an order of protection is granted, the order shall be issued to the victim and to the law enforcement agency in which the victim resides. The sheriff shall enter all information into the Missouri Uniform Law Enforcement System (MULES) within 24 hours and MULES shall forward the information to the National Crime Information Center.

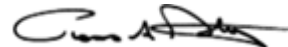
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the State Courts Administrator
Attorney General's Office
Department of Corrections
Missouri Highway Patrol
Department of Social Services
Missouri Office of Prosecution Services
Office of the State Public Defender
Phelps County Sheriff's Office
Branson Police Department
Kansas City Police Department
St. Louis County Police Department



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February 23, 2024



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