COMMITTEE ON LEGISLATIVE RESEARCH OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0356H.04C

Bill No.: HCS for SS for SB 66

Subject: Family Law; Domestic Relations; Children and Minors; Marriage and Divorce;

Health, Public; Animals; Department of Health and Senior Services; Children's

Division; Crimes and Punishment; Sexual Offenses

Type: Original

Date: April 22, 2025

Bill Summary: This proposal modifies and establishes provisions relating to the protection

of children, vulnerable persons, and animals.

FISCAL SUMMARY

EST	ESTIMATED NET EFFECT ON GENERAL REVENUE FUND								
FUND	FY 2026	FY 2027	FY 2028	Fully					
AFFECTED				Implemented					
				(FY 2034)					
	(Unknown,	(Unknown,	(Unknown,	(Unknown,					
General	Could exceed	Could exceed	Could exceed	Could exceed					
Revenue*	\$296,496)	\$296,496)	\$296,496)	(\$321,066)					
Total Estimated									
Net Effect on	(Unknown	(Unknown	(Unknown	(Unknown					
	(Unknown,	(Unknown,	(Unknown,	(Unknown,					
General	Could exceed	Could exceed	Could exceed	Could exceed					
Revenue	\$296,496)	\$296,496)	\$296,496)	(\$321,066)					

^{*}The fiscal impact to General Revenue could exceed the \$250,000 threshold depending on the level of appropriation to the Commercial Sexual Exploitation of Children Education and Awareness Fund (\$210.1505), if any.

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E	ESTIMATED NET EFFECT ON OTHER STATE FUNDS							
FUND	FY 2026	FY 2027	FY 2028	Fully				
AFFECTED				Implemented				
				(FY 2034)				
Commercial								
Sexual								
Exploitation of								
Children								
Education and								
Awareness								
Fund*	\$0	\$0	\$0	\$0				
Pretrial Witness								
Protection								
(0868)**	(Unknown)	(Unknown)	(Unknown)	(Unknown)				
Total Estimated								
Net Effect on								
Other State								
Funds	(Unknown)	(Unknown)	(Unknown)	(Unknown)				

^{*}Revenue and expenses net to zero.

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS								
FUND	FY 2026	FY 2027	FY 2028	Fully				
AFFECTED				Implemented				
				(FY 2034)				
Total Estimated								
Net Effect on								
All Federal								
Funds	\$0	\$0	\$0	\$0				

^{**}Reimbursements to law enforcement agencies and/or prosecuting or circuit attorney's offices is assumed to be less than \$250,000 annually based on past disbursements.

ESTIM	ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)								
FUND	FY 2026	FY 2027	FY 2028	Fully					
AFFECTED				Implemented					
				(FY 2034)					
Commercial									
Sexual									
Exploitation of									
Children									
Education and									
Awareness Fund	2 FTE	2 FTE	2 FTE	2 FTE					
Total Estimated									
Net Effect on									
FTE	2 FTE	2 FTE	2 FTE	2 FTE					

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

☐ Estimated Net I	Effect (savings	or increased	revenues) e	expected to	exceed \$250,	000 in any of
the three fiscal	years after imp	lementation	of the act or	at full im	plementation of	of the act.

	ESTIMATED NET EFFECT ON LOCAL FUNDS							
FUND	FY 2026	FY 2027	FY 2028	Fully				
AFFECTED				Implemented				
				(FY 2034)				
Local								
Government*	Unknown	Unknown	Unknown	Unknown				

^{*}Reimbursement of pretrial witness protection costs.

FISCAL ANALYSIS

ASSUMPTION

§135.621 – Diaper Bank Tax Credit

In response to similar legislation from this year, HB 1522, officials from the **Office of Administration – Budget & Planning (B&P)** assumed this proposal would restart this tax credit, keeping the current annual redemption limit of \$500,000. Therefore, B&P estimates that this provision could reduce TSR and GR by \$175,525 to \$500,000 per year starting FY26.

Officials from the **Department of Revenue (DOR)** assume this proposal modifies the diaper bank tax credit program. The credit sunset December 31, 2024. This proposal would extend the sunset date until six years from August 28, 2025.

DOR notes this program was adopted in 2018 and had a cap of \$500,000 annually. No changes have been made to the program since it started. For informational purposes, DOR is showing the issuances and redemptions over the course of the tax credit.

Year	Authorized	Issued
FY 2024	\$173,152.90	\$173,152.90
FY 2023	\$136,018.86	\$136,018.86
FY 2022	\$182,018.00	\$182,018.00
FY 2021	\$189,453.90	\$189,453.90
FY 2020	\$189,628.19	\$189,628.19
FY 2019	\$0.00	\$0.00
FY 2018	\$0.00	\$0.00

This proposal would be restarting the program which would result in a cost of \$500,000 annually. Additionally, it would require DOR to update the Department's computer program at a cost of \$1,832.

Oversight notes DOR requests a one-time cost for website updates to comply with the proposed language; however, Oversight notes that DOR receives appropriation for routine website updates and will not show those costs in the fiscal note.

Oversight notes the following for the Diaper Bank Tax Credit:

Year	Authorized	Issued	Redeemed
FY 2024	\$173,153	\$173,153	\$175,525
FY 2023	\$136,019	\$136,016	\$150,010
FY 2022	\$182,018	\$182,018	\$122,611
FY 2021	\$189,454	\$189,454	\$137,331
FY 2020	\$189,628	\$189,628	\$40,082

^{*}Source: Tax Credit Analysis Forms – January 2025 submission

Oversight notes this proposal extends the sunset date for this program. The average, based on the three-year tax credit <u>redemption</u>, was \$149,382 (\$175,525 + \$150,010 + \$122,611) / 3), rounded to nearest dollar, for FY 2022 to FY 2024.

Oversight notes this section currently allows sunset as of December 31, 2024; however, this proposal extends the sunset to December 31, 2031 (FY 2032). Therefore, Oversight will reflect a cost that could exceed the average redemption total of \$149,382, in continued costs, to general revenue in FY 2026 and thereafter.

Officials from the **Department of Commerce and Insurance (DCI)** assume a potential unknown decrease of premium tax revenues (up to the tax credit limit established in the bill) in FY2026, FY2027, and FY2028 as a result of the repealment of the sunset provision so that the diaper bank tax credit could be extended. Premium tax revenue is split 50/50 between General Revenue and County Foreign Insurance Fund except for domestic Stock Property and Casualty Companies who pay premium tax to the County Stock Fund. The County Foreign Insurance Fund is later distributed to school districts throughout the state. County Stock Funds are later distributed to the school district and county treasurer of the county in which the principal office of the insurer is located. It is unknown how each of these funds may be impacted by tax credits each year and which insurers will qualify for the tax credit.

Oversight notes, for purposes of this fiscal note, the fiscal note does not reflect the possibility that some of the tax credits could be utilized against insurance premium taxes. If this occurs, the loss in tax revenue would be split between the General Revenue Fund and the County Foreign Insurance Fund, which ultimately goes to local school districts.

§§192.2405, 192.2510, 210.115, 210.191, 273.410, and 273.415 – Abuse and neglect reporting, including reporting animal abuse

Officials from the **Department of Elementary and Secondary Education (DESE)** state §273.410 requires those that are mandated reporters that fail to make a report as required by this section shall be subject to discipline by his or her respective licensing board. This process would require hearings with a potential cost up to \$100,000. These costs which will be dependent on the number of hearing appeals the State Board receives, which include but are not limited to:

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- Hearing officer time for hearing and drafting recommendations for the State Board.
- Administrative assistant time to schedule hearings, provide notice to parties and any settlement negotiations.
- Court reporter costs.

For cost explanation purposes, the average cost for a teacher discipline hearing is \$566.55/hearing:

- Average of 3 hours of hearing officer time * average of \$58.08/hour
- Average of 7 hours administrative assistant time * \$31.08/hour
- Average of \$174.75 in court reporter costs/hearing.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect a range of impact of \$0 (no hearings) to Less than \$100,000 in costs (hearings by the State Board) as estimated by DESE in the fiscal note.

Officials from **Department of Public Safety – Missouri Veterans Commission (MVC)** state Veteran Homes employees provide protective services and are mandatory reporters under RSMo 192.2405. The proposed legislation would require MVC to develop and provide one hour of companion animal abuse/neglect training within the first sixty days of employment.

The cost of adding one additional work hour per employee per year (due to additional training requirements) for all Homes employees, assuming all FTE, hourly and intermittent positions allocated to the Homes were filled, would be as follows for year one: \$47,114. This does not include costs associated with training new hires.

Oversight does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by the DPS, MVC.

In response to similar legislation from the current session (SB 65), officials from the **Office of Administration - Budget and Planning (B&P)** stated § 273.410 provides that any professionally licensed person required to make a report, but fails to do so, shall be subject to discipline by their respective licensing board. The following penalties would apply for failure to report:

- For the first instance, the licensing board shall issue a written notice to the individual;
- For a second instance, the licensing board shall impose a fine of one hundred dollars; and
- For a third or subsequent instance, the licensing board shall impose a fine of five hundred dollars.

Article IX, Section 7 of the Missouri Constitution requires that penalties, forfeitures, and fines collected for violations of state law be distributed to the schools. To the extent any additional such revenues are deposited into the state treasury, TSR may increase.

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In response to similar legislation from the 2024 session (SB 995), **Oversight** contacted the **Department of Commerce and Insurance**, since it appears the fines imposed would be administrative fines rather than criminal fines. DCI stated their position regarding administrative fines is that the intent of the fine is the same as the intent of criminal fines. Any fines collected by professional licensing boards would be distributed to schools.

Oversight notes that violations of section §273.410 could result in fines or penalties. Oversight also notes per Article IX Section 7 of the Missouri Constitution fines and penalties collected by counties are distributed to school districts. Fine varies widely from year to year and are distributed to the school district where the violation occurred. Oversight will reflect a positive fiscal impact of \$0 to Unknown to local school districts. For simplicity, Oversight will not reflect the possibility that fine revenue paid to school districts may act as a subtraction in the foundation formula.

Officials from the **Department of Health and Senior Services (DHSS)** stated §§192.2510 and 273.415 require all persons providing protective services to eligible adults to complete at least one hour of training on how to identify companion animal neglect, how to make a report of companion animal abuse or neglect, and the relationship between adult abuse and neglect and companion animal abuse and neglect within the first sixty days of employment. Further, this section also requires the DHSS, in consultation with animal welfare associations, to develop or adapt available training materials.

DHSS, Division of Senior and Disability Services (DSDS), Section for Adult Protective Services (APS) has 257 team members that would require this training. Furthermore, APS hires approximately 44 Social Service Specialists each year that would be required to take the training described above. APS estimates it would take one training staff 40 hours to develop or modify existing training materials in collaboration with DSS. Additionally, APS estimates that this would equate to an additional 12 hours per year to facilitate such training for our staff on an ongoing basis.

It is assumed that the Department 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.

Oversight does not have any information to the contrary. Oversight assumes the DHSS has sufficient staff and resources to absorb the additional duties required by this proposal. Therefore, Oversight will reflect no fiscal impact for this agency.

Officials from the **Department of Mental Health (DMH)** stated §192.2510.1 is added stating all persons providing protective services to eligible adults, defined in section 192.400, shall be required to complete at least one hour of training within the first sixty days of employment that can be completed during regular working hours. Subsection 2 states DHSS in consultation with animal welfare associations, shall develop or adapt and use available training materials for the required training under this section. Section 210.191 is added stating all children's division

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employees and their contractors who have direct contact with children through the state's child protection and welfare system shall be required to complete at least one hour of animal abuse training within the first sixty days of employment. Section 273.410.1 is added stating if there is reasonable cause to suspect that a animal may be subjected to abuse, the person shall immediately make a report to the hotline. Subsection 4 states a person required to report animal abuse shall be immune from civil or criminal liability. Subsection 6 states if any state agency determines a mandated reporter employee has failed to make a report, the agency shall include a finding of facts and the notice shall be retained in a separate file maintained by the agency and considered a closed record under chapter 610. Subsection 7 is added stating any required person who is subject to professional licensure, and who fails to make a report, shall be subject to discipline by their licensing board.

It is unclear to what extent the DMH team members would be included within this mandate as persons "who have direct contract with such adults". It is possible that all direct care workers, plus additional administrative team members would need this training. Adding an additional hourly training will increase overall training costs for DMH team members. It would also need to be determined how the training will be tracked and if any extra procedures need to be developed to allow for reporting.

DMH cannot calculate a fiscal impact on the Department at this stage; therefore, the fiscal impact is unknown.

Oversight does not have any information to the contrary. Oversight assumes the DMH has sufficient staff and resources to absorb the additional duties required by this proposal as it relates to the one hour of additional training personnel would be required to receive. However, if the DMH would require additional resources to meet the requirements of this proposal, Oversight assumes they could request those resources through the appropriations process. Oversight will reflect no fiscal impact for this agency for purposes of this fiscal note.

In response to a similar proposal from this year (HB 1298), officials from the **Office of Attorney General (AGO)** assumed any additional litigation costs arising from this proposal can be absorbed with existing personnel and resources. However, the AGO may seek additional appropriations if there is a significant increase in litigation.

Oversight does not have any information to the contrary. Therefore, Oversight assumes the AGO will be able to perform any additional duties required by this proposal with current staff and resources and will reflect no fiscal impact to the AGO for fiscal note purposes.

In response to a similar proposal from this year (HB 1298), officials from the **St. Louis County Police Department** estimated the proposed bill will require an hour of training for all commissioned officers. The average pay for Police Officers including fringe benefits is \$53.03 an hour. The Department currently has approximately 820 officers. The total cost for one hour of training is \$43,484.60.

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Oversight notes the fiscal impact for the St. Louis County Police Department. Oversight is unable to project a statewide cost. Oversight will reflect a potential \$0 or (Unknown) cost to local police and sheriffs' departments from this proposal to update policies and conduct training.

In response to a similar proposal from this year (HB 1298), officials from the Department of Economic Development, the Department of Public Safety (Capitol Police), the Missouri Higher Education Loan Authority, the Office of the State Public Defender, the Office of the State Treasurer, the City of O'Fallon, the City of Osceola, the Kansas City Election Board, the St. Louis County Election Authority, the Phelps County Sheriff's Department, the East Buchanan County C-1 School District, Northwest Missouri State University, the Joint Committee On Education, the Missouri State Employee's Retirement System, 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 the current session (SB 65), officials from the City of Springfield, the St. Louis City Board of Elections, the St. Louis County Health Department, the Eureka Fire Protection District, St. Charles Community College and the Office of the State Courts Administrator 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.

§ 210.950 - "Safe Place for Newborns Fund"

In response to similar legislation from this year, Perfected HB 121, officials from the **Fruitland Area Fire Protection District** stated that, although this legislation would have no serious fiscal impact to their organization, it could assist agencies to offset the costs involved with installation of these devices and get more of these lifesaving devices in the State.

Oversight does not have any information to the contrary. Therefore, Oversight assumes the Fruitland Area Fire Protection District will not require any additional staff or resources and will reflect no fiscal impact to the Fruitland Area Fire Protection District for fiscal note purposes.

In response to similar legislation from this year, Perfected HB 121, officials from the **Office of the State Treasurer**, the **Phelps County Sheriff's Department** and the **Branson Police Department** 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 sheriffs' departments, police departments, fire protection districts, emergency services agencies and hospitals 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.

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Oversight notes that, according to an article by Anna Claire Vollers published in the <u>Missouri Independent</u> on February 28, 2024:

In Missouri, a newborn girl was anonymously surrendered to a drop-off box two weeks ago [February 2024] at a Mehlville Fire Protection District station in St. Louis County... It was the first time a drop-off box was used in Missouri since a law legalizing them was passed in 2021.

The initial cost of a baby box is about \$20,000. That price includes the leasing of the box from Safe Haven Baby Boxes, which owns the patent and contracts with a manufacturer, as well as costs for installation, electrical and alarm system hookups, and staff training on how to use it. There's also a \$500 annual service fee, paid to Safe Haven Baby Boxes, to ensure the box continues working properly.

Oversight is uncertain how much would be appropriated and transferred into the Safe Place for Newborns Fund, if any, but notes the total amount available to the fund from state sources under such a match program shall be up to ten thousand dollars for each newborn safety incubator installed. Oversight assumes a fiscal impact of "\$0 to Unknown" for the transfer from General Revenue and assumes the transfer is not likely to exceed the \$250,000 threshold annually.

Oversight assumes funds in the Safe Place for Newborns Fund will be disbursed in the same year it is received. Therefore, Oversight will reflect the income and expenses to the fund as "\$0 to Unknown" and net to \$0.

§210.1505 – Statewide Council Against Adult Trafficking and the Commercial Sexual Exploitation of Children

In response to similar legislation from 2025 (HB 219), officials from the **Attorney General's Office (AGO)** assumed this proposal will increase caseloads. The AGO requests one (1) AAG IV to manage the additional cases and one (1) Paralegal to support the additional attorney.

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

In response to similar legislation from this year, HCS for HB 1464, officials from the **Office of the State Treasurer (STO)** stated the language in Section 210.1505 states the STO "shall" approve disbursements instead of "may" approve disbursements. If the STO is expected to administer the fund, an additional FTE (Treasury Coordinator) at an annual salary of \$43,000 will be needed to carry out the responsibilities. Salaries are from similar positions; costs of equipment are based on past purchasing and FMDC amounts. STO cannot absorb costs. <u>FTE is only if STO would be required to administer the fund.</u>

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Oversight assumes this proposal will not create the additional duties necessary for a new FTE for the STO. Therefore, Oversight will reflect no fiscal impact to the STO for fiscal note purposes. However, if this assumption is incorrect, the STO may request funding through the appropriations process.

In response to similar legislation from this year, HCS for HB 1464, officials from the **Missouri Senate (SEN)** anticipated a negative fiscal impact to reimburse one senator for travel to Statewide Council Against Adult Trafficking and the Commercial Sexual Exploitation of Children Council meetings.

The SEN assumes meetings will be held in Jefferson City during the interim. The average of the total round trip miles for current sitting senators is 255 miles and the current mileage rate, as set by the Office of Administration is \$0.655 cents per mile. Therefore, the SEN estimates a total cost for senator mileage of approximately \$167. The SEN assumes no fiscal responsibility for the other committee members.

Oversight does not have any information to the contrary. Oversight assumes the SEN can absorb the minimal fiscal impact for this proposal within existing funding levels and will reflect no fiscal impact for this agency.

Oversight notes the provisions of this section establish the Anti-Trafficking Fund, which consists of moneys appropriated by the General Assembly as well as court-ordered restitution from human trafficking offenses, any proceeds as provided under section 566.218.2, any gifts, donations, grants, and bequests. Moneys in the fund shall be used solely to pay for the position of the executive director and administrative support for the statewide council, education and awareness regarding human trafficking, and anti-trafficking efforts through the state.

Oversight will reflect the possibility that the General Assembly could appropriate moneys to this new fund from the General Revenue Fund. For fiscal note purposes, Oversight assumes services provided under this proposal will equal income/appropriations and net to zero.

§273.361 – Inducing the Death of a Dog or Cat

Officials from the **Missouri Department of Agriculture** assume the proposal will have no fiscal impact on their organizations.

Oversight notes that the above mentioned agency has 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.

Oversight notes there was 0 violations of §273.347 in FY 2024 and 1 misdemeanor violation in FY 2023. Oversight assumes any violations will be minimal; therefore, Oversight will not reflect any revenue derived from court costs as a result of this proposal.

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§§451.040, 451.080 & 451.090 – Age of Marriage

In response to similar legislation from 2024, SCS for SB Nos. 767 & 1342, officials from the **Mississippi County Recorder of Deeds Office** assumed a slight impact, but the benefits of the proposal would outweigh the little loss that the office may incur.

Oversight assumes the Mississippi County Recorder of Deeds Office's impact would be minimal for this proposal and will reflect no fiscal impact.

Oversight notes the number of marriages from the Provisional Vital Statistics Report on the Department of Health and Senior Services website over the last 5 years:

		Both Under the Age
Calendar Years	Number of Marriages	of 18
2024 ending April	7,508	N/A
2023	33,684	N/A
2022	36,103	51
2021	37,254	87
2020	34,425	68
2019	36,636	71

Oversight assumes there would be a minimal loss to County Recorder of Deeds offices; therefore, Oversight will reflect no fiscal impact.

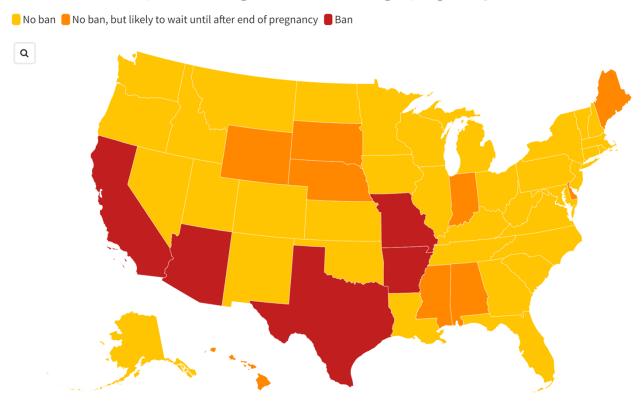
§§452.305 & 452.310 – Pregnancy Status with a Dissolution of Marriage or Legal Separation

In response to similar legislation from this year, Perfected HCS for HB Nos. 243 & 280, 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.

Oversight notes the following chart is from an article in Newsweek from February 2024 (Map Shows US States Where Pregnant Women Can't Get Divorced - Newsweek) on the current status each state has on dissolution of marriage and pregnancy status:

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States where couples cannot get divorced during a pregnancy



Source: Based on local law firms' recommendations and state legislation.

§§455.010, 455.035, and 455.513 – Adult and child protection orders

Based on agency responses from similar legislation in 2025 (HCS HB 224), **Oversight** assumes these sections will have no fiscal impact on state or local governments.

§491.641 – Pretrial witness protection programs

In response to similar legislation from 2025 (HCS HB 224), officials from the **Department of Public Safety** – **Office of the Director (DPS)** stated while this funding could increase the spending out of the fund, DPS believes that spending the funding for this function is needed and appropriate. DPS assumes that approximately \$50,000 - \$75,000 in reimbursements will be requested by law enforcement, county prosecutors, and the circuit attorney for FY 2026; between \$75,000 and \$100,000 for FY 2027; and between \$100,000 and \$125,000 for FY 2028.

In response to similar legislation from 2024 (SCS HCS HB Nos. 1706 & 1539), **Oversight** contacted DPS officials to determine how DPS came up with the estimates provided above. Officials said this was a best guess as they have no way to calculate how much might be requested by law enforcement, county prosecutors and the circuit attorney in witness protection costs. Therefore, Oversight will assume an unknown impact to the Pretrial Witness Protection

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Fund (0868). Based on previous disbursements, Oversight assumes disbursements will be less than \$250,000 annually. Oversight also assumes DPS can absorb the IT cost to update the system within current funding levels.

Oversight notes the Pretrial Witness Protection Fund was enacted by HB 66 during the 2020 Special session and became effective September 21, 2020. One million dollars was transferred into the fund and on June 30, 2021, the fund balance was \$1,000,497. During FY 2022, another \$1 million was transferred into the fund, as well as interest income, but only slightly over \$14,400 was disbursed from the fund. The ending fund balance was just under \$2 million. During FY 2023, distributions were approximately \$39,300 and the year-end fund balance was \$2,012,135. The fund balance as of December 31, 2024, was \$2,052,225.

§492.304 – Depositions and examination of witnesses

Based on agency responses from similar legislation in 2025 (HCS HB 224), **Oversight** assumed this section will have no fiscal impact on state or local governments.

§537.046 – Nondisclosure Agreements in Child Sexual Abuse Cases

In response to similar legislation from 2025 (HB 709), officials from the **Office of the State**Courts Administrator and the **Office of the State Public Defender** 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 2025 (HB 709), officials from the **Office of Attorney General (AGO)** assumed any potential litigation costs arising from this proposal can be absorbed with existing resources. However, the AGO may seek additional appropriations if the proposal results in a significant increase in litigation or investigation.

Oversight does not have any information to the contrary. Therefore, Oversight assumes the AGO will be able to perform any additional duties required by this proposal with current staff and resources and will reflect no fiscal impact to the AGO for fiscal note purposes.

§556.039 – Prosecutions involving a person 19 years of age or older

Officials from the **DOC** state this section stipulates prosecutions under sections 566.203 to 566.211 involving a person nineteen years of age or older shall be commenced no later than twenty years after the commission of the offense. The department anticipates this section will have no impact.

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§§566.151, 566.210, 566.211, and 567.030 – Criminal offenses involving a child and prostitution

Officials from the **Department of Corrections (DOC)** state this proposal modifies and establishes provisions relating to the protection of children and vulnerable persons.

Section 566.151 changes the age of the victim from any person who is less than fifteen to seventeen years of age. From FY 2022 to FY 2024, the department totaled 59 new prison admissions and 3 new probation cases for sentences of enticement of a child. The increase in the minimum age under which a person can be considered to be 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 for this section is an unknown cost.

Section 566.210 changes language to extend the term of imprisonment prior to parole eligibility from 25 to 30 years for sentences on the offense of sexual trafficking of a child in the first degree. There was one person admitted to prison as a new court commitment under section 566.210 in FY 2024. Given the minimum prison term for these sentences are already set at 25 years, this change would not start to have an impact on the department for 25 years from the effective date. Therefore, given the 10-year time frame for this response, DOC assumes no impact for this reporting period in this section.

Section 566.211 creates the offense of sexual trafficking of a child in the second degree by a parent, legal guardian, or other person having custody or control of a child. The DOC <u>does not anticipate an impact</u> to this section as none of the offenders sentenced in the past 3 years would be impacted by this legislation. Therefore, no impact to this section.

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.

There were one new court commitments to prison and no new probation cases under section 567.030 during FY 2024. These offenses could 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 7.3 years spent in prison.

The estimated cumulative impact on the department would be an additional 2 offenders in prison and one less offender on field supervision by FY 2034.

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Change in prison admissions and probation openings with legislation

	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032	FY2033	FY2034	FY2035
New Admissions										
Current Law	1	1	1	1	1	1	1	1	1	1
After Legislation	1	1	1	1	1	1	1	1	1	1
Probation										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	0	0	0	0	0	0	0	0	0	0
Change (After Legislation	- Current Lav	v)								
Admissions										
Probations										
Cumulative Populations										
Prison						1	2	2	2	2
Parole						-1	-1	-1		
Probation										
Impact										
Prison Population						1	2	2	2	2
Field Population						-1	-1	-1		
Population Change								1	2	2

	# 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	(\$10,485)	\$0	0	\$0	0	\$0
Year 2	0	(\$10,485)	\$0	0	\$0	0	\$0
Year 3	0	(\$10,485)	\$0	0	\$0	0	\$0
Year 4	0	(\$10,485)	\$0	0	\$0	0	\$0
Year 5	0	(\$10,485)	\$0	0	\$0	0	\$0
Year 6	1	(\$10,485)	(\$11,576)	0	\$0	(1)	(\$11,576)
Year 7	2	(\$10,485)	(\$23,616)	0	\$0	(1)	(\$23,616)
Year 8	2	(\$10,485)	(\$24,088)	0	\$0	(1)	(\$24,088)
Year 9	2	(\$10,485)	(\$24,570)	0	\$0	0	(\$24,570)
Year 10	2	(\$10,485)	(\$25,061)	0	\$0	0	(\$25,061)

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 \$28.73 per day or an annual cost of \$10,485 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 \$100.25 per day or an annual cost of \$36,591 per offender and includes personal services, all institutional E&E,

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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

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

	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>	<u>FY 2024</u>
§566.151 felonies	19	25	22	24	24
§567.030 felonies	0	2	1	2	0

Oversight will reflect DOC's impact as an unknown impact to the General Revenue Fund. Oversight notes it would take roughly 24 additional prisoners to reach the \$250,000 cost threshold. Oversight will assume a fiscal impact of less than \$250,000.

§566.218 – Restitution required for certain offenders

Oversight notes any real or personal property that was used, attempted to be used, or intended to be used to commit a sexual offense under 566.203, 566.206, 566.209, 566.210, 566.211, 566.212, 566.213, and 566.215 may be seized. Any proceeds from the sale of the property will be allocated to pay an order of restitution to a victim(s) of human trafficking, with any remaining funds deposited into the Commercial Sexual Exploitation of Children Education and Awareness Fund. As the exact amount of proceeds from the sale of seized property will vary from year to year, Oversight will reflect a \$0 to Unknown impact to the Commercial Sexual Exploitation of Children Education and Awareness Fund.

§610.021 – Sunshine Law

In response to a similar legislation from 2025 (HB 145), officials from the **Office of Attorney General (AGO)** assumed any potential litigation costs arising from this proposal can be absorbed with existing resources. The AGO may seek additional appropriations if the proposal results in a significant increase in litigation or investigation costs.

Oversight does not have any information to the contrary. Therefore, Oversight assumes the AGO will be able to perform any additional duties required by this proposal with current staff and resources and will reflect no fiscal impact to the AGO for fiscal note purposes.

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In response to similar legislation from 2025 (HCS HB 145 & 59), officials from the Department of Public Safety (Capitol Police), the Office of the State Public Defender, the Office of the State Treasurer, the City of O'Fallon, the Missouri State Employee's Retirement System, Office of Administration (Budget and Planning), the Department of Economic Development and the Office of the State Courts Administrator 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 2024 (Perfected HCS for HB 1720), officials from the **Missouri Higher Education Loan Authority** 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.

§610.131 – Expungement of certain criminal records

Based on agency responses from similar legislation in 2025 (HCS HB 224), **Oversight** assumed this section will have no fiscal impact on state or local governments.

Responses regarding the proposed legislation as a whole

Officials from the **Office of State Courts Administrator (OSCA)** state 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 notes OSCA assumes this proposal may have some impact on their organization although it can't be quantified at this time. As OSCA is unable to provide additional information regarding the potential impact, Oversight assumes the proposed legislation will have a \$0 to (Unknown) cost to the General Revenue Fund. For fiscal note purposes, Oversight also assumes the impact will be under \$250,000 annually. If this assumption is incorrect, this would alter the fiscal impact as presented in this fiscal note. If additional information is received, Oversight will review it to determine if an updated fiscal note should be prepared and seek approval to publish a new fiscal note.

In response to similar legislation from 2025 (HB 219), officials from the **Department of Public Safety - Capitol Police** 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 2025 (HCS HB 219), officials from the **Washington School District** stated the financial impact would be about \$2,000 for training and documentation updates.

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Oversight assumes some annual training is conducted regardless of this bill and this change could be incorporated into that training and absorbed within current resources.

In response to similar legislation from this year, HCS for HB 1464, officials from the **Joint** Committee on Education, Phelps County Sheriff's Department, the City of O'Fallon and the Branson Police Department 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 2025 (HCS HB 219), officials from the **Office of the State Public Defender** 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.

Officials from the **Oversight Division (OD)** state they are responsible for providing a Sunset Report pursuant to Section 23.253 RSMo; however, Oversight can absorb the cost with the current budget authority.

Officials from the Office of Administration - Administrative Hearing Commission, the Department of Higher Education and Workforce Development, the Department of Labor and Industrial Relations, the Department of Natural Resources, the Department of Public Safety (Division of Alcohol and Tobacco Control, Fire Safety, Missouri Gaming Commission, Missouri Highway Patrol, State Emergency Management Agency), the Department of Social Services, the Office of the Governor, the Missouri Department of Conservation, the Missouri Ethics Commission, the Missouri Department of Transportation, the Missouri National Guard, the MoDOT & Patrol Employees' Retirement System, the Office of Administration, the Petroleum Storage Tank Insurance Fund, the University of Missouri System, Kansas City, the Jackson County Election Board, the Platte County Board of Elections, the St. Louis County Board of Elections, the Newton County Health Department, the Kansas City Police Department, the University of Central Missouri, the Office of the Lieutenant Governor, the Office of the State Auditor, the Missouri House of Representatives, the Joint Committee on Administrative Rules, the Joint Committee on Public Employee Retirement, Legislative Research, the Missouri Lottery Commission, the Missouri Consolidated Health Care Plan, the Missouri Office of **Prosecution Services** and the **State Tax Commission** 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

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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, county health departments, county recorders, nursing homes, county circuit clerks, county collectors, local law enforcement agencies, fire protection districts, ambulance districts, school districts, hospitals and colleges and universities 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 Government	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2034)
GENERAL REVENUE				
<u>Costs</u> - §135.621 – Diaper	Could Exceed	Could Exceed	Could Exceed	Could Exceed
Bank Tax Credit p. 5	(\$149,382)	(\$149,382)	(\$149,382)	(\$149,382)
Costs – DPS/MVC - §192.2510 – Additional employee training p. 6	(\$47,114)	(\$47,114)	(\$47,114)	(\$47,114)
Costs – DMH - §192.2510 – Additional employee training p. 7-8	(Unknown)	(Unknown)	(Unknown)	(Unknown)
C4- DECE 9272 410	ΦΩ 4 - I	ΦΩ 4 - I	ΦΩ 4 - I	\$0 to Less
Costs – DESE - §273.410 – Hearings held by the State	\$0 to Less than	\$0 to Less than	\$0 to Less than	than
Board p. 5-6	(\$100,000)	(\$100,000)	(\$100,000)	(\$100,000)
Cost – DOC (§§566.151 and 567.030) Increased incarceration costs p. 15-17	(Unknown)	(Unknown)	(Unknown)	Could exceed (\$24,570)
<u>Cost</u> – OSCA				
(various sections) increased caseload p. 18	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

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FISCAL IMPACT – State Government	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2034)
Transfer Out – to the Safe Place for Newborns Fund §210.950 p. 9-10	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
Transfer Out – (§210.1505) To the Commercial Sexual Exploitation of Children Education and Awareness Fund p. 10-11	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
ESTIMATED NET EFFECT ON GENERAL REVENUE	(Unknown, Could exceed \$296,496)	(Unknown, Could exceed \$296,496)	(Unknown, <u>Could</u> <u>exceed</u> \$296,496)	(Unknown,
COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN EDUCATION AND AWARENESS FUND				
Income – (§210.1505) p. 10- 11 Potential proceeds from orders of restitution as provided under §566.218.2	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
Income – p. 10-11 (§210.1505) Gifts, grants, donations	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
Transfer In – (§210.1505) From General Revenue p. 10-11	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
Cost – AGO (§210.1505) p. 10-11	(\$122.222)	(\$150.060)	(\$152.070)	Could exceed
Personal Service Fringe Benefits	(\$123,333) (\$75,752)	(\$150,960) (\$92,089)	(\$153,979) (\$93,299)	(\$153,979) (\$93,299)
Exp. & Equip.	(\$21,812)	\$0	\$0	\$0

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FISCAL IMPACT – State	FY 2026	FY 2027	FY 2028	Fully
Government	(10 Mo.)	112027	112020	Implemented
				(FY 2034)
Training and anti-trafficking				
efforts	(Unknown)	(Unknown)	(Unknown)	(Unknown)
<u>Total Cost</u> - AGO	Could exceed	Could exceed	Could exceed	Could exceed
	(\$220,897)	(\$243,049)	(\$247,278)	(\$247,278)
FTE Change -AGO	2 FTE	2 FTE	2 FTE	2 FTE
ESTIMATED NET				
EFFECT ON THE				
COMMERCIAL SEXUAL				
EXPLOITATION OF				
CHILDREN EDUCATION	00	00	00	00
AND AWARENESS FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Estimated Not ETE Change				
Estimated Net FTE Change on the Commercial Sexual				
Exploitation of Children				
Education and Awareness				
Fund	2 FTE	2 FTE	2 FTE	2 FTE
rund	ZFIE	ZFIE	ZFIE	ZFIE
PRETRIAL WITNESS				
PROTECTION FUND				
(0868)				
<u>Cost</u> – DPS p. 13-14				
(\$491.641) – Reimbursement				
of pretrial witness protection				
costs	(Unknown)	(Unknown)	(Unknown)	(Unknown)
ESTIMATED NET				
EFFECT ON THE				
PRETRIAL WITNESS				
PROTECTION FUND	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>

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FISCAL IMPACT – State	FY 2026	FY 2027	FY 2028	Fully
Government	(10 Mo.)			Implemented
	` '			(FY 2034)
SAFE PLACE FOR				
NEWBORNS FUND				
<u>Transfer In</u> - §210.950 –				
from General Revenue Fund	\$0 to	\$0 to	\$0 to	\$0 to
p.9-10	Unknown	Unknown	Unknown	Unknown
<u>Income</u> - §210.950 – from				
Gifts, Contributions, Grants,	\$0 to	\$0 to	\$0 to	\$0 to
Bequests, etc. p. 9-10	Unknown	Unknown	Unknown	Unknown
<u>Transfer Out</u> - §210.950 –				
Disbursed to entities that	<u>\$0 to</u>	<u>\$0 to</u>	<u>\$0 to</u>	<u>\$0 to</u>
install incubators p. 9-10	(Unknown)	(Unknown)	(Unknown)	(Unknown)
ESTIMATED NET				
EFFECT ON THE SAFE				
PLACE FOR				
NEWBORNS FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Local	FY 2026	FY 2027	FY 2028	Fully
Government	(10 Mo.)			Implemented
				(FY 2034)
LOCAL POLITICAL				
SUBDIVISIONS				
<u>Transfer In</u> - §210.950 –				
Reimbursement for the Safe				
Place for Newborns Fund to	\$0 to	\$0 to	\$0 to	\$0 to
install incubators p. 9-10	Unknown	Unknown	Unknown	Unknown
<u>Income</u> – County				
Prosecutors/Law				
Enforcement (§491.641) –				
Reimbursement of pretrial				
witness protection costs				
p. 13-14	Unknown	Unknown	Unknown	Unknown

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FISCAL IMPACT – Local	FY 2026	FY 2027	FY 2028	Fully
Government	(10 Mo.)			Implemented
				(FY 2034)
<u>Costs</u> – Additional Training -	<u>\$0 or</u>	<u>\$0 or</u>	<u>\$0 or</u>	<u>\$0 or</u>
§273.415 p. 5-6	(Unknown)	(Unknown)	(Unknown)	(Unknown)
ESTIMATED NET				
EFFECT TO LOCAL				
POLITICAL				
SUBDIVISIONS	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>

FISCAL IMPACT – Small Business

Certain small businesses that have a practice that includes certain licensed professionals could be impacted by this proposal.

Small animal control agencies, animal shelters or pounds could be impacted as a result of this proposal due to the restrictions on inducing death in a dog or cat. §273.361

FISCAL DESCRIPTION

This proposal modifies and establishes provisions relating to the protection of children, vulnerable persons, and animals.

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

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 Corrections

Department of Labor and Industrial Relations

Department of Revenue

Department of Public Safety

Office of the Director

Division of Alcohol and Tobacco Control

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Capitol Police

Fire Safety

Missouri Gaming Commission

Missouri Highway Patrol

State Emergency Management Agency

Missouri Veterans Commission

Missouri National Guard

Department of Social Services

Office of the Governor

Joint Committee on Education

Joint Committee on Public Employee Retirement

Joint Committee on Administrative Rules

Missouri Lottery Commission

Legislative Research

Oversight Division

Missouri Consolidated Health Care Plan

Missouri Department of Agriculture

Missouri Department of Conservation

Missouri Ethics Commission

Missouri House of Representatives

Office of the Lieutenant Governor

Missouri Department of Transportation

Missouri State Employee's Retirement System

MoDOT & Patrol Employees' Retirement System

Missouri Office of Prosecution Services

Office of Administration

Administrative Hearing Commission

Budget and Planning

Facilities Management, Design and Construction

Office of the State Courts Administrator

Office of the State Auditor

Missouri Senate

Office of the Secretary of State

Office of the State Public Defender

Office of the State Treasurer

State Tax Commission

City of Kansas City

City of O'Fallon

Phelps County Sheriff's Department

Branson Police Department

Kansas City Police Department

St. Louis County Police Department

Washington School District

Petroleum Storage Tank Insurance Fund

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University of Missouri System Jackson County Election Board Platte County Board of Elections St. Louis County Board of Elections Newton County Health Department University of Central Missouri Missouri Higher Education Loan Authority Osceola Kansas City Election Board St. Louis County Election Authority East Buchanan County C-1 School District Northwest Missouri State University Springfield St. Louis City Board of Elections St. Louis County Health Department Eureka Fire Protection District St. Charles Community College Fruitland Area Fire Protection District Office of the State Treasurer Mississippi County Recorder of Deeds

Julie Morff Director April 22, 2025

Guie Morff

Jessica Harris Assistant Director April 22, 2025