

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0615S.01I
Bill No.: SB 197
Subject: Crimes and Punishment; Courts; Criminal Procedure; Law Enforcement Officers and Agencies; Judges; Victims of Crime
Type: Original
Date: February 24, 2025

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

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
General Revenue	(\$750,000 to Greater than \$1,000,000)	\$0 to (Unknown)	\$0 to (Unknown)
Total Estimated Net Effect on General Revenue	(\$750,000 to Greater than \$1,000,000)	\$0 to (Unknown)	\$0 to (Unknown)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
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 2026	FY 2027	FY 2028
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
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 2026	FY 2027	FY 2028
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§455.098 – Lifetime protection orders

Officials from the **Office of the State Courts Administrator (OSCA)** state §455.098 would have a technological fiscal impact that would be at least \$750,000 to \$1,000,000. There may be some additional impact as well, but there is no way to quantify that currently. 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 also 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.

In addition, **Oversight** notes OSCA assumes this proposal may have some additional fiscal impact beyond the technological costs that can't be quantified at this time. As OSCA is unable to provide additional information regarding this potential impact, Oversight assumes the proposed legislation will have a cost to the General Revenue (GR) Fund of \$750,000 to Greater than \$1,000,000 for FY 2026 and a \$0 to (Unknown) cost to GR for subsequent years. If these assumptions are incorrect, they 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.

Officials from the **Office of Attorney General (AGO)** assume 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.

Officials from the **Department of Corrections**, the **Department of Public Safety - Missouri Highway Patrol**, the **Department of Social Services**, the **Office of the State Public Defender**, the **Phelps County Sheriff's Office**, 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.

In response to similar legislation from the prior year (SB 869), officials from the **Missouri Office of Prosecution Services** assumed the proposal would have no fiscal impact on their organization.

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 2026 (10 Mo.)	FY 2027	FY 2028
GENERAL REVENUE FUND			
<u>Cost – OSCA – technological modifications to the SMC System (\$455.098)</u>	(\$750,000 to Greater than \$1,000,000)	\$0 to (Unknown)	\$0 to (Unknown)
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>(\$750,000 to Greater than \$1,000,000)</u>	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
	<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:

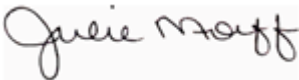
- The victim dies;
- The conviction is dismissed, expunged, or overturned or the defendant has been pardoned; or
- The victim submits a written request to terminate the order.

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

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



Julie Morff
Director
February 24, 2025



Jessica Harris
Assistant Director
February 24, 2025