

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0770H.02C
Bill No.: HCS for SB 189
Subject: Cities, Towns, and Villages; Emergencies; Law Enforcement Officers and Agencies; Motor Vehicles; Department of Natural Resources; Parks and Recreation; Department of Public Safety; Roads and Highways; Transportation; Department of Transportation
Type: Original
Date: May 5, 2025

Bill Summary: This proposal modifies provisions relating to public safety.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2032)
General Revenue	(Could exceed \$3,089,661)	(Could exceed \$2,166,733)	(Could exceed \$2,212,436)	(Could exceed \$2,245,263)
Total Estimated Net Effect on General Revenue	(Could exceed \$3,089,661)	(Could exceed \$2,166,733)	(Could exceed \$2,212,436)	(Could exceed \$2,245,263)

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2032)
Safe Place for Newborns*	\$0	\$0	\$0	\$0
Commercial Sexual Exploitation of Children Education and Awareness Fund*	\$0	\$0	\$0	\$0
Chemical Emergency Preparedness	\$834,508	\$1,001,410	\$1,001,410	\$1,001,410
Criminal Records System	\$0 to Could exceed \$176,000	\$0 to Could exceed \$176,000	\$0 to Could exceed \$176,000	\$0 to Could exceed \$176,000
Pretrial Witness Protection	(Unknown)	(Unknown)	(Unknown)	(Unknown)
Various State	Less than \$250,000	Less than \$250,000	Less than \$250,000	Less than \$250,000
Human Trafficking and Sexual Exploitation Fund*	\$0	\$0	\$0	\$0
Crime Victims' Compensation	Unknown, Greater than \$250,000	Unknown, Greater than \$250,000	Unknown, Greater than \$250,000	Unknown, Greater than \$250,000
Total Estimated Net Effect on Other State Funds	Could exceed \$1,010,508	Could exceed \$1,177,410	Could exceed \$1,177,410	Could exceed \$1,177,410

*Transfer in, income and distributions/costs net to \$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2032)
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2032)
General Revenue	Up to 18 FTE	Up to 18 FTE	Up to 18FTE	Up to 18 FTE
Commercial Sexual Exploitation of Children Education and Awareness	2 FTE	2 FTE	2 FTE	2 FTE
Total Estimated Net Effect on FTE	Up to 20 FTE	Up to 20 FTE	Up to 20 FTE	Up to 20 FTE

☒ 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	Fully Implemented (FY 2032)
Local Government	Unknown to (Unknown)	Unknown to (Unknown)	Unknown to (Unknown)	Unknown to (Unknown)

FISCAL ANALYSIS

ASSUMPTION

Oversight was unable to receive some of the agency responses in a timely manner due to the short fiscal note request time. Oversight has presented this fiscal note on the best current information that we have or on prior year information regarding a similar bill. Upon the receipt of agency responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval to publish a new fiscal note.

§43.505 – Changes to reporting requirements

Officials from the **Department of Public Safety (DPS) - Missouri Highway Patrol (MHP or Patrol)** state the proposed modification to §43.505.2(5) and §43.505.2(6) would require the Uniform Crime Reporting (UCR) program to create new reporting mechanisms in order to distribute the data to the various individuals, committees, and locations. This would require the Patrol's UCR vendor to develop these new reporting mechanisms at an estimated cost of \$9,000.

The vendor report developer is contracted at the base rate of \$900/day to build custom reports. It is estimated §43.505.2(5) would require 5 business days to complete, totaling \$4,500. In addition, it is estimated the proposed by changes to §43.505.2(6) would also require 5 business days to complete at a cost of \$4,500. While the implementation of §43.505.2(5) is not until January 1, 2026, and the implementation of §43.505.2(6) is not scheduled until January 1, 2027, the MHP would request completion of these builds immediately following the bill becoming law. This would allow for the testing of the systems, training of personnel, and the mitigation of any increase in rates from the contracted vendor.

Oversight has no information to the contrary. Oversight assumes the MHP would be able to absorb the minimal cost of \$9,000 within existing funding levels and will present no fiscal impact to the Patrol for fiscal note purposes.

In response to similar legislation from the current session (HCS HB 591), 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.

In response to similar legislation from the current session (HCS HB 591), officials from the **Office of the State Public Defender**, the **City of O'Fallon** and the **City of Osceola** each assumed the proposal would 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 (HB 591), officials from the **St. Louis County Police Department** assumed the proposal would 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.

§§43.546, 190.106, 201.487, 301.551, 311.661 and 335.022 – Background checks for certain applicants

Officials from the **Department of Revenue (DOR)** state §301.551 provides the DOR the option of requiring fingerprint submission with any licensure application for a new motor vehicle franchise dealer, used motor vehicle dealer, powersport dealer, wholesale motor vehicle dealer, motor vehicle dealer, public motor vehicle auction, RV dealer, trailer dealer, boat dealer, manufacturer, or boat manufacture. Applicants will be required to submit fingerprints to the Missouri State Highway Patrol (MSHP) for review of the state criminal record. The MSHP will also forward the prints to the FBI for review of the federal criminal record. Any fees associated with this process will be handled by the MSHP central repository.

NOTE: Although this statute states that the DOR “may” implement this measure, the current opinion of management indicates that this will become a requirement. Additionally, although the language indicates that this be included “... as part of an application seeking licensure...”, the DOR will also make this a requirement for annual dealer license renewals as this falls in line with current procedures.

The DOR will have the following fiscal impact:

Administrative Impact

To implement the proposed changes, the DOR will be required to:

- Update procedures, correspondence letters, forms, and the Department website;
- Update the Dealer and Business operating manual;
- Update Department Systems
- Send communications to registered dealers
- Need additional FTE; and
- Procure equipment for new FTE

The DOR will require 2 additional FTE for reviewing criminal background checks and processing the additional documentation.

Should the legislation be implemented, Motor Vehicle Bureau (MVB) employees will required to access the MSHP’s Missouri Automated Criminal History System (MACHS). Since the new process will give MVB an extensive view of an applicant’s criminal history, DOR is expecting

the review times for the applications to increase. Additionally, the information contained in MACHS is considered sensitive but unclassified (SBU) federal information. MVB would ideally restrict the number of employees with access to the system to protect the confidentiality of the data. This will create an additional step(s) in the approval process as requested data analysts would be reviewing the MACHS data before MVB grants new dealer licenses.

MVB has roughly 8,000 active dealers within Missouri. Based on data from other states who have implemented the same federal fingerprinting requirement, MVB estimates 10% of new dealers will be denied a license.

After completing the required training, MVB would also participate in MSHP's Rap Back Program. The program will automatically notify MVB every time a registered dealer commits a crime and is fingerprinted for said crime. The Associate Research Data Analyst would be responsible for keeping up with those notifications and beginning procedures to revoke licenses if it is a punishable offense.

DOR anticipates an increase in calls, correspondence, and a delay in processing due to the proposed legislation. The additional FTE would assist in the implementation and continuity of the federal fingerprint-based criminal history background checks.

With the changes, new and renewing dealers may be denied a license to operate and the DOR foresees a need for additional legal resources to pursue such denial actions and defending any appeals which may arise from the denials.

FY 2026 - Motor Vehicle Bureau additional FTE costs

Associate Research Data Analyst	\$46,447
Equipment costs for laptops, accessories and software	\$1,085
Additional monitors needed 2 @	\$169 each
Cubicle, chair, calculator	\$8,438 each
Phone	\$525 each
Headset	\$125 each
Total per FTE	\$56,958
	* 2 FTE
Total	<u>\$113,916</u>

FY 2026 – Motor Vehicle Bureau

Associate Research/Data Analyst 20 hrs. @ \$26.03 per hr. =	\$521
Research/Data Analyst 30 hrs. @ \$27.87 per hr. =	\$836
Administrative Manager 10 hrs. @ \$358.10 per hr. =	<u>\$351</u>
Total	\$1,708

FY 2026 – Systems Analysis and Support

Research/Data Analyst 20 hrs. @ \$27.87 per hr. =	\$557
Administrative Manager 10 hrs. @ \$35.10 per hr. =	\$351
Associate Research/Data Analyst 80 hrs. @ \$26.03 per hr. =	<u>\$2,082</u>
Total	\$ 2,990

FY 2026 –Strategy and Communications Office

Research/Data Analyst 30 hrs. @ \$27.87 per hr. =	\$836
Administrative Manager 10 hrs. @ \$35.10 per hr. =	\$351
Associate Research/Data Analyst 20 hrs. @ 26.03 per hr. =	<u>\$521</u>
Total	\$1,708

Total Costs = \$120,322

The fiscal impact estimated above is based on changes in the current DOR's Motor Vehicle system environment. The implementation of this legislation will be coordinated with the integration of the Department's Motor Vehicle and Driver Licensing software system approved and passed by the general assembly in 2020 (Senate Bill 176). To avoid duplicative technology development and associated costs to the state, it is recommended a delayed effective date be added to this bill to correlate with the installation of the new system.

Fusion Impact

The costs associated with these legislative changes may be outside of the current contract and identified programming work for DOR's incoming integrated system. As such, the DOR has included the potential costs associated with making the changes to the integrated system by the department's current vendor.

To develop a function within Fusion to add data entry fields to the dealer registration and account maintenance processes:

Implementation Consultant: 200 hrs. @ \$225/ hr = \$45,000

Oversight contacted DOR regarding the potential number of new applicants they receive on a yearly basis. DOR indicated they do not separate applications by new versus renewing dealers but assume the 8,000 applications are mostly renewals. The number stays roughly the same from one year to the next. Therefore, there would be some new dealers filing applications, but there is no way to determine that number.

DOR officials assume the applicant would be required to pay any background fees and the moneys would go to the MHP.

Oversight contacted DOR officials regarding background checks for renewals. DOR officials stated applicants need to have a new background check performed each time they apply for a renewal. The first 2 background checks are only good for a year each (initial licensing year and then the first renewal year). After that, renewals are good for 2 years so the background check would be good for 2 years.

Oversight notes in response to similar legislation from the current session (HB 992), officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** assumed this proposal will have no fiscal impact on their organization.

Oversight notes, in response to similar legislation from the prior year (HCS HB 1800), MHP stated the proposal provides for a new §301.551 which allows DOR the ability to require a fingerprint criminal record check as part of an application process for said licenses. If DOR chooses to do so as a policy decision, then as a result, revenue would be generated into the Criminal Records System Fund.

Oversight also notes that the provisions of §301.551.1 state “The department of revenue may (emphasis added) require that fingerprint submissions be made a part of an application seeking licensure for a new motor vehicle franchise dealer...” In addition, the provisions of subsection 2 state “If (emphasis added) the department of revenue requires that fingerprint submissions be made as part of such application, the department of revenue shall require applicants submit the fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal history background check.” Since the language of the proposal is permissive, Oversight will range DOR’s fiscal impact from \$0 to the amount provided.

In addition, **Oversight** notes the current fingerprint-based background check fee is \$44.75. The State portion of that fee is \$20 + \$2 retained from the federal fee. Based on DOR’s estimate of 8,000 applications annually, the potential income into the Criminal Records System Fund (0671) could be as much as \$176,000 annually attributable to the number of background checks required by DOR alone. However, as stated earlier, the provisions of this proposal are permissive and other state agencies, boards and committees are no longer mandated to require applicants submit fingerprints when seeking various licenses or permits. Therefore, Oversight will range income into the Criminal Records System Fund as \$0 to Could exceed \$176,000 for each FY26, FY27 and FY28.

In response to similar legislation from the current session (HB 992), officials from the **Springfield Police Department (PD)** stated the PD would likely be completing more fingerprint appointments than are currently done. This increase could cause the PD to need to hire another full-time employee.

Oversight assumes Springfield PD’s impact is speculative at this point as there is no guarantee they would see a significant increase in the number of fingerprint appointments scheduled. In addition, of the local law enforcement agencies responding (see below), no other law enforcement agency anticipated a fiscal impact. Therefore, Oversight assumes the potential

increase in the number of fingerprint appointments scheduled by the Springfield PD will not be significant enough to require the hiring of additional FTE. Oversight will present no fiscal impact for this agency for the provisions of this proposal.

In response to similar legislation from the current session (HCS HB 219), 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 notes officials from the **Missouri Lottery Commission (Lottery or Commission)** assume this proposal will have no fiscal impact on their organization. However, in response to similar legislation from the current session (HB 992), Lottery officials stated the proposal appears to remove §43.543 which states Lottery along with other agencies shall submit fingerprints to the MHP to check a person's criminal history. Other agencies are specifically added to the draft legislation but the Lottery is not. However, 313.220 provides the following:

2. The commission shall have the authority to require a fingerprint background check on any person seeking employment or employed by the commission, any person seeking contract with or contracted to the commission and any person seeking license from or licensed by the commission. The background check shall include a check of the Missouri criminal records repository and when the commission deems it necessary to perform a nationwide criminal history check, a check of the Federal Bureau of Investigation's criminal records file. Fingerprints shall be submitted to the Missouri criminal records repository as required. Notwithstanding the provisions of §610.120, the commission shall have access to closed criminal history information when fingerprints are submitted. The commission shall not prohibit a person from participating in the sale of lottery tickets solely on the basis of the person being found guilty of any criminal offense; except that, the person shall not be eligible to be a licensed lottery game retailer under subsection 2 of section 313.260.

Therefore, the Lottery assumes the proposal will have no fiscal impact on their organization.

Oversight has no information to the contrary. Therefore, Oversight will present no fiscal impact for this proposal as provided by the Lottery.

In response similar legislation from the prior year (HCS HB 1800), officials from the **Office of the State Courts Administrator** 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: "The office of state courts administrator may require that fingerprint submissions be made as part of the application of certification as a qualified interpreter..." and "The Missouri supreme court may require that fingerprint submissions be made as part of an application of licensure for admission or reinstatement to the Missouri Bar in order to engage in the practice of law or law business...".

For purposes of this fiscal note, **Oversight** assumes OSCA will not pay the cost of fingerprint-based criminal history background checks rather the applicant would, if required. Therefore, Oversight will not show a fiscal impact to OSCA.

In response to similar legislation from the current session (HB 992), officials from the **Department of Public Safety - Missouri Veterans Commission**, the **Office of the State Public Defender**, the **St. Louis County Police Department** and **Northwest Missouri State University** would 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.

§§44.087, 300.100 & 304.022 - Law Enforcement Assistance from Another Jurisdiction & Siren Use for Emergency Vehicles

In response to similar legislation from the current session (HB 225), officials from the **Office of the State Courts Administrator** and the **St. Louis County 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.

§§57.010 & 57.530 – Sheriff of the City of St. Louis

In response to similar legislation from the current year (HB 529), officials from the **Sheriff's Retirement System** assumed the impact is unknown at this time. The sheriff department identified this legislation is part of the retirement system and benefits are determined based on the salary. This legislation sets the minimum salary for the sheriff not the maximum. Once the salary is known, an impact could be calculated.

Oversight does not have information to the contrary and therefore, Oversight will reflect the unknown estimate as provided by the Sheriff's Retirement System.

In response to similar legislation from 2024 (Perfected SB 1363), officials from the **City of St. Louis** assumed this proposal would fix the compensation for Sheriff's deputies within the City of St. Louis to be no less than \$50,000 annually. Based on the number of deputies and salaries included in the FY24 budget this would increase costs of the Sheriff's department by an estimated \$2.0M per year including pay and benefits. The FY24 budget for the Sheriff authorizes 170 total positions. Of this total there are budgeted 151 deputies with an average salary of \$39,333. The differential between this average salary and the \$50,000 is \$10,667. Multiply this amount by the 151 positions and the total increase in salaries would amount to \$1.6M. Adding fringe benefits (social security, life insurance, pension, etc.) would bring total costs to just over \$2M per year.

Oversight does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by the City of St. Louis.

§160.775 - Missouri Childhood Hero Act

Officials from the **Office of the State Courts Administrator** assumed the proposal would 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.

In response to similar legislation from the current session (HB 351), officials from the **Attorney General's Office (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.

Oversight assumes there could be costs for school districts if a parent brings a civil action against a district. Oversight will show a range of impact of \$0 to an unknown cost.

Oversight notes that §160.775.9 (2) states that if a school district or charter school, or an employee of such district or charter school, prevails in an action brought against such school district, charter school, or employee described in subdivision (1) of this subsection, the court shall award court costs and attorney's fees to such prevailing school district, charter school, or employee. For purposes of the fiscal note, Oversight will reflect a potential revenue gain to school districts in the fiscal note.

§190.098 - Community paramedic services

Officials from the **Department of Health and Senior Services (DHSS)** state the proposed legislation modifies provisions relating to community paramedics and the provision of community paramedic services.

Section 190.098.1 of the proposed legislation defines community paramedic services as services that are provided by any entity that: employs licensed paramedics who are certified as community paramedics by the department; and has received an endorsement by the department as a community paramedic service entity; provided in a nonemergent setting, independent of a 911 system or emergency summons; consistent with the training and education, as well as within the scope of skill and practice, of the personnel and with the supervisory standard approved by the medical director; and reflected and documented in the entity's patient care plans or protocols approved by the medical director in accordance with § 190.142.

Section 190.098.4 requires Any ambulance service that seeks to provide community paramedic services outside of its ambulance service area, as described in section 190.105 and administered by the department, and in the service area of another ambulance service that currently provides

community paramedic services shall be required to have a memorandum of understanding with that ambulance service regarding the provision of such community paramedic services.

An ambulance service that provides community paramedic services may provide community paramedic services without a memorandum of understanding in the ambulance service area of an ambulance service that is not providing community paramedic services, but the ambulance service providing community paramedic services shall provide notification to the ambulance service with emergency service responsibilities in the service area of the general community paramedic activities being performed. Any emergency medical response agency seeking to provide community paramedic services within its designated response service area may do so if the ground ambulance service covering the area within which the emergency medical response agency is located does not provide community paramedic services. If such ground ambulance service does provide community paramedic services, the ground ambulance service may establish, at its sole discretion, a memorandum of understanding with the emergency medical response agency planning to offer community paramedic services in order to coordinate programs and avoid service duplication. If an emergency medical response agency is providing community paramedic services in a service area before the ground ambulance service in that service area begins offering community paramedic services, the emergency medical response agency and the ground ambulance service shall establish a memorandum of understanding for the coordination of services. A community paramedic program shall notify the appropriate local ambulance service when providing services within the service area of an ambulance service.

Currently, Division of Regulation and Licensure's Bureau of Emergency Medical Services (BEMS) licenses community paramedics that have completed the required program and can provide training certificates. The proposed legislation would require the BEMS to create a new type of license to issue a five-year endorsement to businesses and entities that employ and use community paramedics. Any newly established business or entity using community paramedics would be required to obtain this endorsement and existing ground ambulances that use community paramedics would have to apply and get a new endorsement, separate from their ground ambulance service license, to be renewed every five (5) years. It is assumed there will be less than 10 community paramedic services endorsements issued.

Section 190.098.4(4) states the department shall establish regulations for the purpose of recognizing community paramedic service entities that have met the standards necessary to provide community paramedic services, including physician medical oversight, training, patient record keeping, formal relationships with primary care services where necessary, and quality improvement policies. The department shall issue an endorsement to any community paramedic service entity that meets such standards that allows the entity to provide community paramedic services for a period of five years.

The Bureau of Emergency Medical Services (BEMS) will be responsible for the establishment of rules and regulations. It is estimated that it will take one (1) Regulatory Compliance Manager (salary \$89,712) approximately 1,040 hours to make the required changes. Based on 2,080

working hours per year, this would require 0.5 FTE (1,040 hours ÷ 2,080 hours per year) to accomplish these duties for a total personal service cost of \$44,856 (\$89,712 * 0.5).

It is assumed that the DHSS 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. Therefore, Oversight assumes the DHSS 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 DHSS for fiscal note purposes.

In response to similar legislation from the current session (HCS HB 622), officials from the **City of Osceola** and **Northwest Missouri State University** each assumed the proposal would 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 organizations.

§190.101 - Provisions relating to the State Advisory Council on Emergency Medical Services

Officials from the **DHSS** assume the department can absorb the cost of this section with current resources. However, if the workload significantly increased or other legislation is enacted, additional resources would be requested through the appropriations process.

Oversight has no information to the contrary. Therefore, Oversight will present no fiscal impact for this proposal for DHSS.

§196.1170 – Sale of kratom products

Officials from the **Department of Health and Senior Services (DHSS)** state the proposed legislation creates the “Kratom Customer Protection Act” and would result in the sale of Kratom being recognized as legal in the state of Missouri. The legislation places no restriction on what Kratom can be added to, which could result to Kratom being added to food. Kratom is not generally recognized as safe food product by the Food and Drug Administration (FDA).

This legislation **could** jeopardize **some** of the of the federal funding received by the Department of Health and Senior Services from the Food and Drug Administration Cooperative Agreements. The total loss of federal funding per year from these cooperative agreements would be **\$815,000**. If this funding is lost and General Revenue is not appropriated, DHSS would be unable to provide vital services to Missourians, including food safety inspections of many facilities.

Oversight assumes the risk to the Federal funds is speculative, therefore for fiscal note purposes, Oversight will not present the potential loss in the fiscal note.

Officials from the **Department of Corrections (DOC)** state §196.1170 creates the Kratom Consumer Protection Act with associated punishments for violation of the act to be infractions or a class D misdemeanor. As misdemeanors fall outside the purview of the Department of Corrections, the legislation in this section will have **no impact** on the department.

In response to similar legislation from the current session (HCS HB 1037), officials from the **Office of the State Courts Administrator** and the **City of Osceola** each assumed the proposal would 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 (HB 1037), officials from the **Office of the State Public Defender** and the **City of O'Fallon** each assumed the proposal would 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 also notes subsection § 196.1170.7 provides that if a kratom dealer violates certain provisions of this proposal, the dealer is guilty of a class D misdemeanor.

Oversight notes that St. Charles County and St. Louis County already have Kratom ordinances.

St. Charles County

Seller registration fee: \$600 for 2 years

Ordinance violations: \$500.00 for the first offense and up to \$1,000.00 for the second or subsequent offense. Each day that such violation continues shall constitute a separate offense.

Purchasing age: 18 years of age

St. Louis County

Seller registration fee: \$35 for 2 years

Ordinance violations: The recipient has the right, within five business days, to request a hearing to contest the responsibility of the recipient for the violation. If no hearing is requested, the recipient shall pay a fine of \$500.00 within ten (10) business days or the matter will be referred to the County Counselor for prosecution.

Purchasing age: 21 years of age

§210.950 - "Safe Place for Newborns Fund"

Officials from the **Department of Health and Senior Services (DHSS)** state §210.950.13(1) creates the Safe Place for Newborns Fund, consisting of consist of moneys appropriated by the general assembly from general revenue and any gifts, bequests, or donations. Section 210.950.14 creates a program providing matching funds for the installation of newborn safety incubators, up to \$10,000 per installed incubator.

It is assumed that the DHSS can absorb the costs of \$210,950 with current resources. However, if the workload significantly increased or other legislation was enacted, additional resources would be requested through the appropriation process.

Oversight has no information to the contrary. Therefore, Oversight will present no fiscal impact for this proposal for the DHSS.

In response to similar legislation from the current session (HB 121), officials from the **Fruitland Area Fire Protection District** state 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 the current session (HB 121), officials from the **St. Louis County Police Department** assumed the proposal would 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.

Oversight notes that, according to an article by Anna Claire Vollers published in the [Missouri Independent](#) 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

Officials from the **Office of the State Treasurer (STO)** state the language in §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. The STO cannot absorb costs. FTE is only if STO would be required to administer the fund.

If the STO is expected to administer the fund, an additional FTE will be needed to carry out the responsibilities. One FTE Treasury Coordinator, fringe benefits, and equipment and expenses are estimated as an expense to the STO Operating Fund of \$78,355 for FY 2026; \$77,231 for FY 2027 and \$78,460 for FY 2028.

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 the current session (HCS HB 219), officials from the **Attorney General’s Office (AGO)** assumed this proposal would 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.

Oversight notes officials from the **Missouri Senate (SEN)** assume this proposal will have no fiscal impact on their organization. However, in response to similar legislation from the current session (HCS HB 218), SEN officials 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 assumed meetings would 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 estimated 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 Commercial Sexual Exploitation of Children Education and Awareness 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.

Officials from the **Washington School District** state the financial impact would be about \$2,000 for training and documentation updates.

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 the current session (HCS HB 219), officials from the **Office of Administration**, the **Office of the State Public Defender**, the **City of O’Fallon** and the **St. Louis County Police Department** each assumed the proposal would 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.

§217.721 – Probation violations to be reported by probation officer to court and prosecutor

Officials from the **Department of Corrections (DOC)** state §217.721 stipulates that any probation violation shall be reported by a probation officer to the court that placed the offender on probation and the office of the prosecuting attorney by the last day of the calendar month in which the violation occurred.

Currently, DOC probation & parole officers report all official probation violations to the Parole Board and the sentencing court. These reports are generated after the alleged violation is investigated and substantiated. Depending on the nature of the possible violation, these matters may be the subject of civil or criminal investigations conducted by entities not subject to the same statutory timelines for reporting. Considering the plethora of nuances in each probationer’s sentencing structure and his or her individual propensity to comply with community supervision strategies, it may be practically impossible to complete an investigation and submit the report within the timeframe established by this provision. This could result in a need for an unknown number of additional FTE and increased litigation against the department. Therefore, the department estimates an **unknown cost**. The unknown impact is anticipated to exceed \$250,000 annually.

Oversight has no information to the contrary. Therefore, Oversight will present and (Unknown, could exceed \$250,000) fiscal impact to the General Revenue Fund as provided by the DOC.

§287.243 – Line of Duty Compensation Act

Oversight notes, based on information requested for a Sunset Review (2024), the **Department of Labor and Industrial Relations (DOLIR)** provided the following information related to line of duty compensation claims paid for fiscal years FY 2019 through FY 2024, as shown in the table below:

Fiscal Year	Total Claims	Total Paid
2019	8	\$200,000
2020	6	\$150,000
2021	10	\$250,000
2022*	24	\$600,000
2023	8	\$200,000
2024	6	\$150,000
Total	62	\$1,550,000

*Seventeen of the 24 payments were due to COVID-19.

DOLIR further stated that while there are no outstanding claims at this time, there are currently five cases on appeal. Additionally, four (4) pending cases for FY 2025 have been received to date.

Oversight notes it is unknown how many individuals may be killed in the line of duty in any particular year; however, the annual average has been 8 $[(8+6+10+6+8) / 5]$ excluding FY 2022, due to the increase in COVID related deaths. Currently, the amount of compensation per claimant is \$25,000. Therefore, on average the compensation line of duty compensation paid was \$200,000 annually.

In response to similar legislation from the current session (HCS HB 72), officials from the **Office of Administration**, the **St. Louis Police Department** and the **Joplin School District** each assumed the proposal would 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 respective agencies.

Officials from the **Department of Public Safety – Missouri Highway Patrol** defer to the DOLIR for the potential fiscal impact of this proposal.

Officials from the **Northwest Missouri State University** assume that if there is a death while on duty, or a death while the first responder is going to or from work, there would have a fiscal impact to the University and Workers Compensation Carrier. The amount would vary depending on the number of dependents.

Oversight has no information to the contrary. Oversight assumes the University will not have a fiscal impact as a result of this proposal.

Officials from the **Oversight Division (Division)** state the Division is responsible for providing a Sunset Report pursuant to Section 23.253, RSMo; however, Oversight will be able to absorb the cost with the current budget authority.

§292.606 – Fees paid to the Missouri Emergency Response Commission

Officials from the **Department of Public Safety (DPS) – State Emergency Management Agency (SEMA)** state that currently, authorization for the collection of fees for hazardous chemicals in the workplace, which funds the Missouri Emergency Response Commission (MERC), was not reauthorized under HB 1870 (2024) and was allowed to expire on August 28, 2024. HB 1870 (2024) would have extended the authorization for six years to August 28, 2030.

The mission of the MERC is to protect public health and the environment by assisting communities with chemical incident prevention, preparedness, response, and recovery; and by receiving, processing, and reporting on chemical information under the community right-to-know laws. The program has been in existence since the late 1980s and has provided training and assistance to local communities to be compliant with the federal EPCRA laws.

Current law allowed for the collection of data and fees. In fiscal year 2023, the amount collected was approximately \$1,001,410 with \$598,495 of this fund being redistributed to the locals, \$92,076 distributed to the Missouri Division of Fire Safety for hazardous materials training and the remaining \$230,190 was retained by the MERC to operate the program and to provide a match for federal funds that allow additional hazardous materials planning and training for local first responders. The chemical storage facility owners and gas station owners must pay an annual fee based on the type and amount of chemicals they store at their facility.

This proposal would allow a one-time fee to be calculated based on the normal filing due March 1, 2025 and will be paid by November 1, 2025.

Oversight has no information to the contrary. Therefore, Oversight will present the fiscal impact of this proposal as revenue coming into the Chemical Emergency Preparedness Fund of \$834,508 in FY 2026 and \$1,001,410 in FY 2027 and subsequent years.

Oversight notes the Chemical Emergency Preparedness Fund (0587) had a fund balance of \$698,599 on December 31, 2024.

In response to similar legislation from the current session (HCS HB 70), officials from the **St. Louis County Police Department** assumed the proposal would 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.

§304.822 – Siddens Bening Hands Free Law Provisions

Oversight notes in response to similar legislation from the current session (HB 1489), officials from the **City of Kansas City** assumed the proposed legislation would have a potential negative fiscal impact as it potentially increases the liability of the city.

Oversight assumes this proposal is permissive allowing local laws or ordinances so long as they do not conflict with the State’s law. Oversight does not anticipate a direct impact to the City of Kansas City from this proposal; therefore, Oversight will not reflect a fiscal impact.

In response to similar legislation from the current session (HB 1489), officials from the **St. Louis County Police Department** assumed the proposal would have no 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.

§§320.500 – 320.528 – Firefighters’ procedural bill of rights act

In response to the similar legislation from the current session (HCS HB 1190), officials from the **Attorney General’s Office (AGO)** assumed the proposal will have no fiscal impact on their respective organization. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for AGO.

Officials from the **City of Kansas City** assume the proposed legislation could have a negative fiscal impact on the City of Kansas City in an indeterminate amount because it subjects the City to increased litigation costs and thereby the costs of litigation.

Oversight notes the Kansas City Fire Department (KCFD), according to the latest provided KCFD statistics, there were 1,260 firefighters responding to the various incidents from 2017-2021 as follow:

KCFD 2021 Annual report – p. 18

	2017	2018	2019	2020	2021
Fire	1918	2459	2129	2408	2,073
Overpressure/rupture /explosion	44	32	119	146	79
Rescue & EMS	95,713	95,713	97,752	90,218	87,605
Service Call	11,681	14,447	8516	7886	8,405
Good Intent Call	5822	6097	12,994	11,684	13,347
False Alarm	1724	1545	4188	4,048	4,765
Severe Weather	8	30	227	4	13
Special Incident	218	206	223	683	340
Total Calls	117,128	120,619	126,223	117,077	118,384

Source: <https://www.kcmo.gov/city-hall/departments/fire>

Oversight notes it is unknown how many such lawsuits will be submitted in future; however, given the amount of calls and number of fire personnel serving each year, it is possible; the City of Kansas City would incur additional expenditure when defending their employees in various lawsuits. Therefore, Oversight will reflect an unknown direct impact to the local political governments beginning FY 2026.

In response to the similar legislation from the current session (HCS HB 1190), officials from the **Office of Administration (OA)** and the **City of Osceola** each assumed the proposal would 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.

§321.295 – Fire protection districts and the distribution of surplus/unneeded supplies or property

Oversight notes no fire protection districts responded to the fiscal note request. Therefore, Oversight assumes the provisions of this section may have an unknown positive fiscal impact on local fire protection districts if the board of directors of the district sells surplus or unneeded supplies or property to the general public by auction.

§407.300 – Sale of certain materials

Officials from the **Department of Corrections (DOC)** state §407.300 is modified to include provisions related to keeping records for the sale of catalytic converters and it enhances the penalty for violations to include a class E felony.

For each new nonviolent class E felony, the department estimates one person could be sentenced to prison and two to probation. The average sentence for a nonviolent class E felony offense is 3.4 years, of which 2.1 years will be served in prison with 1.4 years to first release. The remaining 1.3 years will be on parole. Probation sentences will be 3 years.

The cumulative impact on the department is estimated to be 2 additional offenders in prison and 7 additional offenders on field supervision by FY 2028.

Change in prison admissions and probation openings with legislation-Class E Felony (nonviolent)

	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032	FY2033	FY2034	FY2035
New Admissions										
Current Law	0	0	0	0	0	0	0	0	0	0
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	2	2	2	2	2	2	2	2	2	2
Change (After Legislation - Current Law)										
Admissions	1	1	1	1	1	1	1	1	1	1
Probations	2	2	2	2	2	2	2	2	2	2
Cumulative Populations										
Prison	1	2	2	2	2	2	2	2	2	2
Parole			1	1	1	1	1	1	1	1
Probation	2	4	6	6	6	6	6	6	6	6
Impact										
Prison Population	1	2	2	2	2	2	2	2	2	2
Field Population	2	4	7	7	7	7	7	7	7	7
Population Change	3	6	9	9	9	9	9	9	9	9

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

Administrative Impact

To implement the proposed changes, the Department will be required to:

- Create new form for public use.
- Update current procedures, correspondence letters, and information on website.
- Implement new call lines and/or update current lines to handle these calls.
- Update the Dealer and Business operating manual.
- Send communications to stakeholders as applicable.
- Hire additional FTE as needed to handle additional paperwork.
- Procure equipment needed for any additional FTE.

To implement the proposed legislation, the department agrees that they can absorb the phone calls with our general line but will need two (2) additional FTE for processing any forms that come into the department. The current number of scrap metal operators, junk dealers and other collectors and sellers of secondhand property is unknown to the department; therefore, the number of businesses that fall into such category required to report is unknown.

With business license revocation being able to occur after one violation rather than three, we foresee a need for additional legal resources to pursue such revocation actions and defending any appeals which may arise from the revocation.

FY2026 - Motor Vehicle Bureau additional FTE cost

Associate Customer Service Representative \$34,999.68
Equipment costs for laptop, dock, and software \$1,084.76 each
Additional monitors needed 2 @ \$161.20 each
Cubicle, chair, calculator \$8,438 each
Phone \$525 each
Headset \$125 each
\$45,253 * 2
Total \$90,989.68

FY 2026 – Motor Vehicle Bureau

Lead Administrative Support Assistant 80 hrs. @ \$19.14 per hr. = \$1,531.20
Research/Data Analyst 60 hrs. @ \$27.87 per hr. = \$1,672.20
Administrative Manager 40 hrs. @ \$30.25 per hr. = \$1,210.00
Associate Research/Data Analyst 100 hrs. @ \$22.33 per hr. = \$2,233.00

FY 2026 – Systems Analysis and Support

Research/Data Analyst 249 hrs. @ \$27.87 per hr. = \$6,939.63
Administrative Manager 125 hrs. @ \$30.25 per hr. = \$3,781.25
Associate Research/Data Analyst 996 hrs. @ \$22.33 per hr. = \$22,240.68

FY 2026 – Strategy and Communications Office

Associate Research/Data Analyst 120 hrs. @ \$22.33 per hr. = \$2,679.60

Total Costs = \$133,277.24

Fusion Impact

To implement a reporting mechanism within Fusion for Salvage Dealers and Dismantlers, Rebuilders, Body Shops, and Scrap Processors to report purchases of copper, brass, or bronze; aluminum wire, cable, pipe, tubing, bar, ingot, rod, fitting, and fasteners; material containing copper or aluminum used for farming purposes; detached catalytic converter; motor vehicle, heavy equipment, or tractor batteries, the estimated cost to add these changes into the new system is \$900,000.

The fiscal impact estimated above is based on changes in the current Department's Motor Vehicle system environment. The implementation of this legislation will be coordinated with the integration of the Department's Motor Vehicle and Driver Licensing software system approved and passed by the general assembly in 2020 (Senate Bill 176). To avoid duplicative technology development and associated costs to the state, it is recommended a delayed effective date be added to this bill to correlate with the installation of the new system.

Additionally, DOR notes OA-ITSD services will be required at a cost of \$278,964 in FY 2026 (2,656.80 x \$105 per hour).

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

Oversight notes that violations of section 407.300.5 currently 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. However, this proposal removes the fines that are currently imposed under statute. Therefore, Oversight will reflect a potential negative fiscal impact of \$0 to Unknown to local school districts.

In response to similar legislation from the current session (HB 214), officials from the **Office of the State Courts Administrator**, the **City of O'Fallon** and the **St. Louis County Police Department** each assumed the proposal would 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.

§§455.010, 455.035, and 455.513 – Court proceedings involving juveniles

Oversight notes officials from the **Clay County Auditor** state this proposal has no fiscal impact on their organization. However, in response to similar legislation from the current year (HCS HB 736) the Clay County Auditor estimated this proposal would cost their county approximately \$5,000 per year due to the increase in age for appointing a Guardian ad Litem from 17 to 18 years of age (§455.035.3).

Oversight has no information to the contrary. Oversight assumes Clay County will be able to absorb the minimal cost associated with this proposal and will present no fiscal impact for this organization.

In response to similar legislation from the current session (HCS HB 736), officials from the **Office of Administration** and the **Office of the State Courts Administrator** each assumed the proposal would 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.

§491.641 – Pretrial witness protection programs

Oversight notes in response to similar legislation from the current session (SCS HCS HBs 971, 293 & 978), officials from the **Department of Public Safety – Office of the Director** 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 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.

§570.030 – Stealing

Officials from the **Department of Corrections (DOC)** state this section is modified to include the additional clause that an individual receiving, retaining, or disposing of a catalytic converter that they reasonable suspect has been stolen is considered a felony offense. The associated penalty is a class E felony.

§570.031 – Unlawful possession

DOC states this section is added to create the offense of unlawful possession of a detached catalytic converter with the intent to sell. The associated penalty is a class E felony.

For each new nonviolent class E felony, the department estimates one person could be sentenced to prison and two to probation. The average sentence for a nonviolent class E felony offense is 3.4 years, of which 2.1 years will be served in prison with 1.4 years to first release. The remaining 1.3 years will be on parole. Probation sentences will be 3 years.

Combined Cumulative Estimated Impact

The combined cumulative estimated impact on the department is 6 additional offenders in prison and 21 additional offenders on field supervision by FY 2028.

Change in prison admissions and probation openings with legislation

	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032	FY2033	FY2034	FY2035
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	6	6	6	6	6	6	6	6	6	6
Change (After Legislation - Current Law)										
Admissions	3	3	3	3	3	3	3	3	3	3
Probations	6	6	6	6	6	6	6	6	6	6
Cumulative Populations										
Prison	3	6	6	6	6	6	6	6	6	6
Parole	0	0	3	3	3	3	3	3	3	3
Probation	6	12	18	18	18	18	18	18	18	18
Impact										
Prison Population	3	6	6	6	6	6	6	6	6	6
Field Population	6	12	21	21	21	21	21	21	21	21
Population Change	9	18	27	27	27	27	27	27	27	27

In response to similar legislation from the current session (HB 304), officials from the **Office of the State Public Defender (SPD)** stated per the recently released National Public Defense Workload Study, the new charge contemplated by the change to Sections 301.218 and 570.031 would take approximately thirty-five hours of SPD work for reasonably effective representation. If one hundred cases were filed under this section in a fiscal year, representation would result in a need for an additional one to two attorneys. Because the number of cases that will be filed under this statute is unknown, the exact additional number of attorneys necessary is unknown. Each case would also result in unknown increased costs in the need for core staff, travel, and litigation expenses.

Oversight assumes this proposal will not create the number of new cases required to request additional FTE for the SPD and that the SPD can absorb the additional caseload required by this proposal with current staff and resources. Therefore, Oversight will reflect no fiscal impact to the SPD for fiscal note purposes. However, if multiple bills pass which require additional staffing and duties, the SPD may request funding through the appropriation process.

In response to similar legislation from the current session (HB 304), 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.

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

Officials from the **Department of Corrections (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**.

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

DOC states §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 alters the offense of sexual trafficking of a child in the first degree by changing the age of the victim from any person who is less than twelve years of age to any person who is less than fourteen years of age. The increase in the minimum age under which a person can be considered to be trafficked 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 13 and 14 year olds to whom this could have potentially applied. Therefore, the impact to this change is an unknown cost.

This section also extends the term of imprisonment prior to parole eligibility from 25 years to 30 years for sentences on this offense. There was one person admitted to prison as a new court commitment under § 566.210 in FY 2024. Given the minimum prison term for these sentences is 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, the DOC not including an estimate of the impact from this change.

Section 566.211 enhances the offense of sexual trafficking of a child in the second degree by extending the term of imprisonment prior to parole eligibility from 10 years to 20 years. There were eight people sentenced under §566.211 in FY 2024. Given the minimum prison term for these sentences is already set at 10 years, this change would not start to have an impact on the DOC for 10 years from the effective date. Therefore, given the 10-year time frame for this response, the DOC is not including an estimate of the impact from these changes.

This section also 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 department does not anticipate an impact to this section, as none of the offenders sentenced in the past 3 years would be impacted by this legislation.

Section 567.030 alters the offense of patronizing prostitution by changing 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 also changes the existing class B misdemeanor to a class E felony if the individual the person patronizes is eighteen years of age or older, changes the existing class E felony to a class D felony if the individual the person patronizes is older than fifteen but younger than eighteen years of age, and changes the class D felony to a class B felony if the individual who the person patronizes is fifteen years of age or younger.

There were three new court commitments to prison and one new probation case under section 567.030 from FY 2021 through FY 2024 that were class D felonies. Given there have been years in which there were no new court commitments and/or probation cases under this section, we will use the averages of one new court commitment and one new probation cases annually over this three-year period to estimate the impact. 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.

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 Law)										
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

Section 570.030 expands the offense of stealing to include the additional clause that an individual receiving, retaining, or disposing of a catalytic converter that they reasonable suspect has been stolen. The associated penalty is a class E felony. As these are new crimes, there is little direct data on which to base an estimate, and as such, the department estimates an impact comparable to the creation of a new class E felony.

For each new nonviolent class E felony, the DOC estimates one person could be sentenced to prison and two to probation. The average sentence for a nonviolent class E felony offense is 3.4 years, of which 2.1 years will be served in prison with 1.4 years to first release. The remaining 1.3 years will be on parole. Probation sentences will be 3 years.

The cumulative impact on the DOC is estimated to be 2 additional offenders in prison and 7 additional offenders on field supervision by FY 2028.

Change in prison admissions and probation openings with legislation-Class E Felony (nonviolent)

	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032	FY2033	FY2034	FY2035
New Admissions										
Current Law	0	0	0	0	0	0	0	0	0	0
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	2	2	2	2	2	2	2	2	2	2
Change (After Legislation - Current Law)										
Admissions	1	1	1	1	1	1	1	1	1	1
Probations	2	2	2	2	2	2	2	2	2	2
Cumulative Populations										
Prison	1	2	2	2	2	2	2	2	2	2
Parole			1	1	1	1	1	1	1	1
Probation	2	4	6	6	6	6	6	6	6	6
Impact										
Prison Population	1	2	2	2	2	2	2	2	2	2
Field Population	2	4	7	7	7	7	7	7	7	7
Population Change	3	6	9	9	9	9	9	9	9	9

Section 570.031 creates the offense of unlawful possession of a detached catalytic converter with the intent to sell. The associated penalty is a class E felony. As these are new crimes, there is little direct data on which to base an estimate, and as such, the DOC estimates an impact comparable to the creation of a new class E felony.

For each new nonviolent class E felony, the DOC estimates one person could be sentenced to prison and two to probation. The average sentence for a nonviolent class E felony offense is 3.4 years, of which 2.1 years will be served in prison with 1.4 years to first release. The remaining 1.3 years will be on parole. Probation sentences will be 3 years.

The cumulative impact on the department is estimated to be 2 additional offenders in prison and 7 additional offenders on field supervision by FY 2028.

Change in prison admissions and probation openings with legislation-Class E Felony (nonviolent)

	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032	FY2033	FY2034	FY2035
New Admissions										
Current Law	0	0	0	0	0	0	0	0	0	0
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	2	2	2	2	2	2	2	2	2	2
Change (After Legislation - Current Law)										
Admissions	1	1	1	1	1	1	1	1	1	1
Probations	2	2	2	2	2	2	2	2	2	2
Cumulative Populations										
Prison	1	2	2	2	2	2	2	2	2	2
Parole			1	1	1	1	1	1	1	1
Probation	2	4	6	6	6	6	6	6	6	6
Impact										
Prison Population	1	2	2	2	2	2	2	2	2	2
Field Population	2	4	7	7	7	7	7	7	7	7
Population Change	3	6	9	9	9	9	9	9	9	9

Combined Cumulative Estimated Impact of SB 189 (0770H.02C)

The combined cumulative estimated impact on the department is 8 additional offenders in prison and 21 additional offenders on field supervision by FY 2034.

Change in prison admissions and probation openings with legislation

	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032	FY2033	FY2034
New Admissions									
Current Law	1	1	1	1	1	1	1	1	1
After Legislation	4	4	4	4	4	4	4	4	4
Probation									
Current Law	0	0	0	0	0	0	0	0	0
After Legislation	6	6	6	6	6	6	6	6	6
Change (After Legislation - Current Law)									
Admissions	3	3	3	3	3	3	3	3	3
Probations	6	6	6	6	6	6	6	6	6
Cumulative Populations									
Prison	3	6	6	6	6	5	5	5	6
Parole	0	0	3	3	3	3	3	3	3
Probation	6	12	18	18	18	18	18	18	18
Impact									
Prison Population	3	6	6	6	6	7	8	8	8
Field Population	6	12	21	21	21	20	20	20	21
Population Change	9	18	27	27	27	27	27	28	29

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.

In response to similar legislation from the current session (SCS HCS HB 1464), officials from the **Office of the State Public Defender (SPD)** stated per the National Public Defense Workload Study, the new charge contemplated by this change to Section 566.211 creating a class A felony which could result in life imprisonment, would take approximately ninety-nine hours of SPD work for reasonably effective representation. If one hundred cases were filed under this section in a fiscal year, representation would result in a need for an additional four to five attorneys. Because the number of cases that will be filed under this statute is unknown, the exact additional number of attorneys necessary is unknown. Each case would also result in unknown increased costs in the need for core staff, travel, and litigation expenses.

Oversight assumes this proposal will not create the number of new cases required to request additional FTE for the SPD and that the SPD can absorb the additional caseload required by this proposal with current staff and resources. Therefore, Oversight will reflect no fiscal impact to the SPD for fiscal note purposes. However, if multiple bills pass which require additional staffing and duties, the SPD may request funding through the appropriation process.

§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.

§574.207 – Offense of interference with a first responder

Officials from the **Department of Corrections (DOC)** state §574.207 creates the offense of interference with a first responder. The associated penalty is a class A misdemeanor. As misdemeanors fall outside the purview of the DOC, the legislation in this section will have **no impact** on the department.

In response to similar legislation from the current session (SB 669), 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.

In response to similar legislation from the current session (SB 669), officials from the **Office of the State Public Defender**, the **St. Louis County Police Department** and the **Office of the State Courts Administrator** each assumed the proposal would 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 notes the provisions of §574.207.2 provide that a person who interferes with a first responder is guilty of a class A misdemeanor. Class A misdemeanors carry a penalty of \$2,000 for each offense in addition to any individual county/municipal fees and court costs. The fine revenue for the offense goes to local school funds and court costs go to various state and local funds. Oversight assumes there will be some (less than \$250,000) amount of fine revenue from violations of the statute. Therefore, the impact to various state funds and local governments will be presented as less than \$250,000. For simplicity, Oversight will not reflect the possibility that fine revenue paid to school districts may act as a subtraction in the foundation formula.

Below are examples of some of the state and local funds which court costs are distributed:

Fee/Fund Name	Fee Amount
Basic Civil Legal Services Fund	\$8.00
Clerk Fee	\$15.00 (\$12 State/\$3 County)
County Fee	\$25.00
State Court Automation Fund	\$7.00
Crime Victims' Compensation Fund	\$7.50
DNA Profiling Analysis Fund	\$15.00
Peace Officer Standards and Training (POST) Fund	\$1.00
Motorcycle Safety Trust Fund	\$1.00
Brain Injury Fund	\$2.00
Independent Living Center Fund	\$1.00
Sheriff's Fee	\$10.00 (County)
Prosecuting Attorney and Circuit Attorney Training Fund	\$4.00
Prosecuting Attorney Training Fund	\$1.00 (\$0.50 State/\$0.50 County)
Spinal Cord Injury Fund	\$2.00

§§579.065 and 579.068 – Trafficking drugs

Officials from the **Department of Corrections (DOC)** state §579.065 alters the offense of trafficking drugs in the first degree by changing the minimum amount of fentanyl from ten to three but less than fourteen milligrams, and any amount of carfentanil. The associated penalty is a class B felony. It also changes the minimum amount of fentanyl from twenty to fourteen milligrams, and more than five hundredths of a milligram of carfentanil in the associated class A felony.

In FY 2024, the DOC totaled 16 new prison admissions and 19 new probation cases for sentences of trafficking drugs in the first degree. When an offender is sentenced to imprisonment the department receives a sentence and judgement form which contains information on the conviction(s) and sentence(s). Most sentence and judgement forms for drug related offenses do not notate the type or amount of the drug associated with the conviction. Given that the drug associated with the offense, and any amount associated with the drug, is unknown in the majority of cases, the department is unable to estimate the number of new admissions related to the possession and or distribution of fentanyl or carfentanil. Therefore, the DOC will assume an **unknown impact** to this legislation.

Section 579.068 alters the offense of trafficking drugs in the second degree by changing the minimum amount of fentanyl from ten to three but less than fourteen milligrams, and any amount of carfentanil. The associated penalty is a class C felony. It also changes the minimum amount of fentanyl from twenty to fourteen milligrams, and more than five hundredths of a milligram of carfentanil in the associated class B felony.

In FY 2024, the department totaled 99 new prison admissions and 147 new probation cases for sentences of trafficking drugs in the second degree. When an offender is sentenced to imprisonment the department receives a sentence and judgement form which contains information on the conviction(s) and sentence(s). Most sentence and judgement forms for drug related offenses do not notate the type or amount of the drug associated with the conviction. Given that the drug associated with the offense, and any amount associated with the drug, is unknown in the majority of cases, the department is unable to estimate the number of new admissions related to the possession and or distribution of fentanyl or carfentanil. Therefore, the DOC will assume an unknown impact to this legislation.

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

In response to similar legislation from the current session (HB 49), 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.

In response to similar legislation from the current session (HB 49), officials from the **Office of the State Courts Administrator** and the **Office of the State Public Defender** each assumed the proposal would 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.

§589.700 – Human trafficking offenses

Oversight notes the provisions of this bill state in addition to any fine imposed for a violation of §566.203, 566.206, 566.209, 566.210, 566.211, 566.215 or 567.030, the court shall enter a judgment of restitution payable to the Human Trafficking and Sexual Exploitation Fund established under §589.700, upon a plea of guilty or a finding of guilt for a violation of this section in the following amounts:

- \$10,000 per each identified victim of the offense(s) identified above; and
- \$2,500 for each county in which such offense(s) occurred.

Upon receipt of the moneys from the fund, a county shall allocate the disbursement as follows:

- \$10,000 per each identified victim of the offense(s) that occurred in the county toward local rehabilitation services such as mental health and substance abuse counseling; parenting skills, housing relief, vocational training, and employment counseling; and
- \$2,500 toward local efforts to prevent human trafficking such as education programs and increasing the number of local law enforcement members charged with enforcing human trafficking laws.

Oversight notes OSCA reported the following number of guilty convictions in 2020 – 2024:

	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
§566.203	0	0	0	0	0
§566.206	0	0	0	0	0
§566.209	0	0	0	1	2
§566.210	0	0	1	0	0
§566.211	1	1	2	3	9
§566.215	0	0	0	0	0
§567.030	0	3	3	9	2

Oversight has no way to determine the number of victims associated with each guilty conviction listed above; therefore, Oversight will assume an (unknown) impact to the new Human Trafficking and Sexual Exploitation Fund. For fiscal note purposes, Oversight assumes services provided by the counties will equal income and net to zero.

DOC states § 589.700 establishes a judgment of restitution payable to the human trafficking and sexual exploitation fund for violations of §566.203, 566.206, 566.209, 566.210, 566.211, or 566.215. As this fine is manually entered into the Offender Finance System, it is unknown the additional staff time which will be required to enter the fines, as there is no way to know how many people found guilty of these offenses would be sentenced and incarcerated to the department. Therefore, the impact to this legislation is an unknown cost.

§590.040 – Law enforcement officers to receive training on officer-canine encounters and canine behaviors

In response to similar legislation from the current session (HB 893), officials from the **St. Louis County Police Department** assumed the proposal would 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 organization.

§595.045 – Crime Victims' Compensation Fund

Officials from the **Department of Corrections (DOC)** state §595.045 expands the offenses for which Crime Victims Compensation can be collected for from class C or D felonies, to include class E felonies as well. As this fine is manually entered into the Offender Finance System, it is unknown the additional staff time which will be required to enter the fines, as there is no way to know how many people found guilty of an E felony would be sentenced and incarcerated to the department. Therefore, the impact to this legislation is an **unknown cost**.

* 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, medical and mental health, fringe, and miscellaneous expenses. None of these costs include construction to increase institutional capacity.

If the incarcerated population impact of any one piece of legislation, or combined impact of multiple pieces of legislation, results in a prison population that exceeds the current physical capacity of 26,835, the state would need to construct additional capacity. Based on current construction projects in other Midwest states, the department estimates the cost of constructing a new 1,500-bed maximum security prison at approximately \$825 million to \$900 million.

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.

NOTE: This table includes all DOC admissions and probation throughout this bill.

	# 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	3	(\$10,485)	(\$26,212)	0	\$0	6	(\$26,212)
Year 2	6	(\$10,485)	(\$64,168)	0	\$0	12	(\$64,168)
Year 3	6	(\$10,485)	(\$65,452)	0	\$0	21	(\$65,452)
Year 4	6	(\$10,485)	(\$66,761)	0	\$0	21	(\$66,761)
Year 5	6	(\$10,485)	(\$68,096)	0	\$0	21	(\$68,096)
Year 6	7	(\$10,485)	(\$81,034)	0	\$0	20	(\$81,034)
Year 7	8	(\$10,485)	(\$94,462)	0	\$0	20	(\$94,462)
Year 8	8	(\$10,485)	(\$96,352)	0	\$0	20	(\$96,352)
Year 9	8	(\$10,485)	(\$98,279)	0	\$0	21	(\$98,279)
Year 10	8	(\$10,485)	(\$100,244)	0	\$0	21	(\$100,244)

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

Officials from the **Department of Revenue (DOR)** state currently a \$7.50 surcharge is assessed on all criminal court proceedings. Additionally, based on the plea of the defendant additional fees are assessed. A fee of \$68 dollars is owed upon a plea of guilty for class A & B felonies, a \$46 fee is due upon a plea of guilty for class C & D felonies and a \$10 fee for a plea of guilty is due for misdemeanors. This proposal expands the \$46 fee to also include pleas of guilty for class E felonies.

The Department of Public Safety noted there were 10,822 class E felony convictions in calendar year 2022. This could increase the fees paid by \$497,812 ($10,822 * \46) annually.

The courts collect the surcharges in all these cases and forward the money to DOR for deposit. This \$46 fee is received from the court clerks and deposited entirely into the crime victims' compensation fund.

This proposal will not fiscally impact DOR.

In response to similar legislation from the current session (HB 83), officials from the **Office of the State Courts Administrator (OSCA)** stated §595.045 includes Class E felonies to the collection of monetary fees to the Crime Victims' Compensation Fund. Based on recent case data, the inclusion of Class E felonies will result in additional judgments of approximately \$279,000 per year, with an estimated collection of 35% to 60% over three years.

Officials from the **Department of Public Safety - Office of the Director (DPS)** state in CY 2022, there were 10,822 class E felony convictions. This data was pulled using charge level felony E with a charge disposition of Guilty Plea, Guilty Plea Written, Tried by Court- Guilty, Jury Verdict - Guilty, Alford Plea and a Charge Disposition Date within CY2022. It does not include juvenile cases.

DPS assumes this will bring in an estimated \$500,000 ($\$46 \times 10,822 = \$497,812$) into the Crime Victims' Compensation Fund.

Oversight notes the provisions of this section state the court shall enter a judgment payable to the Crime Victims' Compensation Fund of \$46 for a class E felony. Oversight also notes, from information provided by the Office of the State Courts Administrator, the following number of E felony convictions from FY 2020 through FY 2024:

<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>	<u>FY 2024</u>
7,545	8,407	10,575	10,838	10,708

The average number of E felonies over this five-year period is 9,615 ($7,545 + 8,407 + 10,575, 10,838 + 10,708$). However, as the exact number of E felony convictions could vary substantially from year to year, **Oversight will reflect an Unknown, greater than \$250,000 to the Crime Victims' Compensation Fund.** Oversight notes the ending balance in the Crime Victims' Compensation Fund as of December 31, 2024, is \$2,040,252.

In response to similar legislation from the current session (HB 83), officials from the **Office of Administration - Budget and Planning** stated §595.045.8 expands the application of a current court cost surcharge that generates revenues for the state's Crime Victim Compensation Fund, potentially impacting TSR.

§610.021 – Sunshine Law

In response to similar legislation from the current session (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.

In response to similar legislation from the current session (HCS HBs 145& 59), officials from the **Department of Public Safety - Missouri Veterans Commission**, the **Office of the State Public Defender**, the **City of O’Fallon**, the **Joint Committee on Education**, the **Office of Administration**, the **Missouri National Guard**, the **Petroleum Storage Tank Insurance Fund** and the **Office of the State Courts Administrator** each assumed the proposal would 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 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** assumes this section will have no fiscal impact on state or local governments.

§632.305 - Notarization requirements for certain mental health detentions

In response to similar legislation from the current session (HB 543), officials from the **Office of the State Public Defender** and the **St. Louis County 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.

§650.040 – MO Violent Crime Clearance Grant Program

In response to similar legislation from the current session (HCS HB 591), officials from the **Department of Public Safety (DPS) – Director’s Office (DO)** stated the provisions of §650.040 will require a Grant Specialist FTE (\$61,376 annually) to work on this new grant program plus fringe benefits and equipment and expense costs. In addition, upon further review, subsection 7 requires a contract annually with all 569 law enforcement agencies in the state. The

contract and its terms are reviewed, negotiated and implemented every year. This will require at least two (2) additional FTE who are attorneys (\$93,366 each, Special Asst. Professional – Legal). Total costs to the General Revenue Fund are estimated to be \$341,456 for FY 2026; \$403,180 for FY2027; and \$410,296 for FY2028.

Oversight has no information to the contrary. Oversight notes DPS has an attorney on staff and, therefore, assumes DPS would need one (1) additional attorney and a grant specialist to perform the work associated with this proposal.

Oversight also notes the DPS did not address the receipt or distribution of grant funds to local law enforcement in their response. Therefore, for fiscal note purposes, Oversight assumes \$0 to an (Unknown) amount will be distributed to local law enforcement agencies.

Officials from the **Office of the State Auditor (SAO)** state based on the SAO's last federal forfeiture report, there are 606 law enforcement agencies (LEAs) that could be eligible to receive grant funding under the new provisions contained in §650.040, RSMo. For the purpose of replying to this fiscal note, the SAO assumes all 606 LEAs will receive grant funding and thus would fall under the mandatory audit requirement outlined in 650.040.7, RSMo. As such, this would create 606 new audits. In order to meet this demand, the SAO assumes that the audits of LEAs would be conducted on a 10 year rotating audit cycle with 60-61 annual audits. This added audit workload would require the addition of 12 auditors: 6 new staff auditors at an average entry level salary of \$52,813 annually, 3 senior auditors at an average base salary of \$63,251, and 3 audit managers at an average base salary of \$88,204.

Oversight assumes not all law enforcement agencies would receive a grant under this program. However, since it is unknown how many grants will be awarded, Oversight will range the SAO's costs as "Up to" the amount provided.

Oversight notes in response to similar legislation from the current session (HCS HB 591), officials from the **Branson Police Department** anticipated this proposal will have a \$20,000 annual impact on their budget due to the need to detail a specific employee to gather and report the data required by the proposal.

Oversight has no information to the contrary. Therefore, Oversight will have an unknown fiscal impact to local police departments.

Bill as a whole

In response to similar legislation from the current session (HCS HC 591 and HCS HB 219), officials from the **Office of the State Courts Administrator (OSCA)** stated the following sections in those bills may have some fiscal impact but there is no way to quantify that amount at the present time. 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.

Officials from the **Office of Administration - Administrative Hearing Commission**, the **Department of Commerce and Insurance**, the **Department of Economic Development**, the **Department of Elementary and Secondary Education**, the **Department of Higher Education and Workforce Development**, the **Department of Mental Health**, the **Department of Natural Resources**, the **Department of Labor and Industrial Relations**, the **Department of Public Safety**, **Divisions of: Alcohol and Tobacco Control, Capitol Police, Fire Safety, Missouri Gaming Commission**, the **Department of Social Services**, the **Office of the Governor**, the **Missouri Department of Agriculture**, the **Missouri Department of Conservation**, the **Missouri Ethics Commission**, the **Missouri Department of Transportation**, the **MoDOT & Patrol Employees' Retirement System**, the **University of Missouri System**, the **Phelps County Sheriff**, the **Kansas City Police Department**, the **University of Central Missouri**, the **Office of the Lieutenant Governor**, the **Missouri House of Representatives**, the **Joint Committee on Public Employee Retirement**, **Legislative Research**, the **Missouri Consolidated Health Care Plan**, the **Missouri State Employee's Retirement System**, the **Missouri Office of Prosecution Services**, 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.

Rule Promulgation

Officials from the **Joint Committee on Administrative Rules** assume this proposal is not anticipated to cause a fiscal impact beyond its current appropriation.

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.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other cities, county commissioners, recorders auditors, circuit clerks, prosecutors, treasurers, public administrators and clerks, nursing homes, local law enforcement, fire protection districts, ambulance and EMS, schools and charter schools, 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.

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2032)
GENERAL REVENUE FUND				
<u>Costs</u> – OSCA various sections - potential increase in costs p.39-40	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<u>Costs</u> – DOC (§217.721) – potential increase in FTE and litigation costs p.17-18	(Unknown, could exceed \$250,000)	(Unknown, could exceed \$250,000)	(Unknown, could exceed \$250,000)	(Unknown, could exceed \$250,000)
<u>Costs</u> – (§287.243) – Sunset extension after June 19, 2025 p.18	More or Less than (\$166,667)	More or Less than (\$200,000)	More or Less than (\$200,000)	More or Less than (\$200,000)
<u>Costs</u> – DOR (§301.551) p.5-7	\$0 to...	\$0 to...	\$0 to...	\$0 to Greater than...
Personal service	(\$77,412)	(\$94,752)	(\$96,647)	(\$96,647)
Fringe benefits	(\$57,347)	(\$69,561)	(\$70,320)	(\$70,320)
Equipment and expense	(\$20,990)	\$0	\$0	\$0
Contract programming costs	(\$67,318)	\$0	\$0	\$0
<u>Total Costs - DOR</u>	<u>(\$223,067)</u>	<u>(\$164,313)</u>	<u>(\$166,967)</u>	<u>(\$166,967)</u>
FTE Change - DOR	0 to 2 FTE	0 to 2 FTE	0 to 2 FTE	0 to 2 FTE
<u>Cost</u> – DOC (§§407.300, 570.030, 570.031) Increased incarceration costs p. 21, 25- 30 & 36	(\$26,212)	(\$64,168)	(\$65,452)	(\$98,279)

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2032)
<u>Cost – DOR</u> (§407.300) p.22-24				Could exceed...
Personal service	(\$58,333)	(\$71,399)	(\$72,827)	(\$72,827)
Fringe benefits	(\$49,700)	(\$60,201)	(\$72,827)	(\$72,827)
Equipment and expense	(\$20,668)	\$0	\$0	\$0
Vendor Implementation (FAST)	(\$900,000)	\$0	\$0	\$0
OA-ITSD Services	(\$278,964)	\$0	\$0	\$0
Administrative cost	(\$42,288)	\$0	\$0	\$0
<u>Total Cost - DOR</u>	<u>(\$1,349,953)</u>	<u>(\$131,600)</u>	<u>(\$133,600)</u>	<u>(\$133,600)</u>
FTE Change – DOR	2 FTE	2 FTE	2 FTE	2 FTE
<u>Cost – DOC</u> (§§566.151 and 567.030) Increased incarceration costs p.27-30 & 36	(Unknown)	(Unknown)	(Unknown)	(Unknown)
<u>Cost – DOC</u> (§§579.065 and 579.068) Changes to trafficking drugs felony charges relating to fentanyl/carfentanil p.33	(Unknown)	(Unknown)	(Unknown)	(Unknown)
<u>Cost – DOC</u> (§§589.700) Manual entry of fines into Offender Finance System p.34-35	(Unknown)	(Unknown)	(Unknown)	(Unknown)
<u>Costs – DOC</u> (§595.045) – possible staff needed to enter fines p.35-36	(Unknown)	(Unknown)	(Unknown)	(Unknown)
<u>Costs – DPS</u> (§650.040) p.38-39				Could exceed...
Personal service	(\$128,952)	(\$157,837)	(\$160,994)	(\$160,994)
Fringe benefits	(\$78,004)	(\$94,845)	(\$96,110)	(\$96,110)
Equipment & expense	(\$8,588)	(\$1,301)	(\$1,328)	(\$1,328)
<u>Total Costs - DPS</u>	<u>(\$215,544)</u>	<u>(\$253,983)</u>	<u>(\$258,432)</u>	<u>(\$258,432)</u>
FTE Change - DPS	2 FTE	2 FTE	2 FTE	2 FTE

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2032)
Costs – DPS (§650.040) Distribution of grant monies to law enforcement p.39	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
Costs – SAO (§650.040) p.39	Up to...	Up to...	Up to...	Up to or Could exceed...
Personal service	(\$642,703)	(\$786,668)	(\$802,401)	(\$802,401)
Fringe benefits	(\$415,515)	(\$504,801)	(\$511,106)	(\$511,106)
Equipment and expense	(\$50,000)	(\$61,200)	(\$62,424)	(\$62,424)
Total Costs - SAO	(\$1,108,218)	(\$1,352,669)	(\$1,375,931)	(\$1,375,931)
FTE Change – SAO	Up to 12 FTE	Up to 12 FTE	Up to 12 FTE	Up to 12 FTE
Transfer Out – to the Safe Place for Newborns Fund (§210.950) p.14-15	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
Transfer Out –To the Commercial Sexual Exploitation of Children Education and Awareness Fund (§210.1505) p.16-17	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>(Could exceed \$3,089,661)</u>	<u>(Could exceed \$2,166,733)</u>	<u>(Could exceed \$2,212,436)</u>	<u>(Could exceed \$2,245,263)</u>
Estimated Net FTE Change on General Revenue	Up to 18 FTE	Up to 18 FTE	Up to 18 FTE	Up to 18 FTE

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2032)
SAFE PLACE FOR NEWBORNS FUND				
<u>Transfer In</u> - From General Revenue Fund (§210.950) p.14-15	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Income</u> – (§210.950) From Gifts, Contributions, Grants, Bequests, etc. p.14-15	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Transfer Out</u> - (§210.950) Disbursed to entities that install incubators p.14-15	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
ESTIMATED NET EFFECT ON THE SAFE PLACE FOR NEWBORNS FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN EDUCATION AND AWARENESS FUND				
<u>Income</u> – (§210.1505) - Potential proceeds from orders of restitution as provided under §566.218.2 p.16-17	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Income</u> – (§210.1505) Court-ordered restitution from human trafficking offenses p. 16-17	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Income</u> – (§210.1505) Potential proceeds from orders of restitution as provided under §566.218.2 p. 16-17	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2032)
<u>Income</u> – (§210.1505) Gifts, grants, donations p. 16-17	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Transfer In</u> – From General Revenue (§210.1505) p. 16-17	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Cost</u> – AGO (§210.1505) p.16				Could exceed...
Personal Service	(\$123,333)	(\$150,960)	(\$153,979)	(\$153,979)
Fringe Benefits	(\$75,752)	(\$92,089)	(\$93,299)	(\$93,299)
Exp. & Equip.	(\$21,812)	\$0	\$0	\$0
Training and anti-trafficking efforts	(Unknown)	(Unknown)	(Unknown)	(Unknown)
<u>Total Cost</u> - AGO	<u>Could exceed</u> <u>(\$220,897)</u>	<u>Could exceed</u> <u>(\$243,049)</u>	<u>Could exceed</u> <u>(\$247,278)</u>	<u>Could exceed</u> <u>(\$247,278)</u>
FTE Change -AGO	2 FTE	2 FTE	2 FTE	2 FTE
ESTIMATED NET EFFECT ON THE COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN EDUCATION AND AWARENESS FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Estimated Net FTE Change on the Commercial Sexual Exploitation of Children Education and Awareness Fund	2 FTE	2 FTE	2 FTE	2 FTE
CHEMICAL EMERGENCY PREPAREDNESS FUND (0587)				
<u>Income</u> – SEMA (§292.606) – renewal of annual fees p.19	\$834,508	\$1,001,410	\$1,001,410	\$1,001,410
ESTIMATED NET EFFECT ON THE CHEMICAL EMERGENCY PREPAREDNESS FUND	<u>\$834,508</u>	<u>\$1,001,410</u>	<u>\$1,001,410</u>	<u>\$1,001,410</u>

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2032)
CRIMINAL RECORDS SYSTEM FUND (0671)				
<u>Income</u> – MHP (\$301.551) – fingerprint background check fees p.8	\$0 to Could exceed \$176,000	\$0 to Could exceed \$176,000	\$0 to Could exceed \$176,000	\$0 to Could exceed \$176,000
ESTIMATED NET EFFECT ON THE CRIMINAL RECORDS SYSTEM FUND	<u>\$0 to Could exceed \$176,000</u>	<u>\$0 to Could exceed \$176,000</u>	<u>\$0 to Could exceed \$176,000</u>	<u>\$0 to Could exceed \$176,000</u>
PRETRIAL WITNESS PROTECTION FUND (0868)				
Cost – DPS (\$491.641) – Reimbursement of pretrial witness protection costs p.24-25	(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>
VARIOUS STATE FUNDS				
<u>Revenue</u> – (\$574.207) Court costs p.32	Less than \$250,000	Less than \$250,000	Less than \$250,000	Less than \$250,000
ESTIMATED NET EFFECT ON VARIOUS STATE FUNDS	<u>Less than \$250,000</u>	<u>Less than \$250,000</u>	<u>Less than \$250,000</u>	<u>Less than \$250,000</u>

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2032)
HUMAN TRAFFICKING AND SEXUAL EXPLOITATION FUND				
<u>Revenue</u> - (§§566.203, 566.206, 566.209, 566.210, 566.211) Victim restitution p.34-35	Unknown	Unknown	Unknown	Unknown
<u>Revenue</u> - (§567.030) Victim restitution p.34-35	Unknown	Unknown	Unknown	Unknown
<u>Revenue</u> - (§589.700) Restitution for each county in which the offense(s) occurred p.34-35	Unknown	Unknown	Unknown	Unknown
<u>Transfer Out</u> – To Counties p.34-35	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT ON THE HUMAN TRAFFICKING AND SEXUAL EXPLOITATION FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
CRIME VICTIMS' COMPENSATION FUND (0681)				
<u>Revenue</u> – DPS (§595.045) Class E felony fee (\$46 per) p.37	Unknown, Greater than \$250,000	Unknown, Greater than \$250,000	Unknown, Greater than \$250,000	Unknown, Greater than \$250,000
ESTIMATED NET EFFECT ON THE CRIME VICTIMS' COMPENSATION FUND	<u>Unknown, Greater than \$250,000</u>	<u>Unknown, Greater than \$250,000</u>	<u>Unknown, Greater than \$250,000</u>	<u>Unknown, Greater than \$250,000</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2032)
LOCAL POLITICAL SUBDIVISIONS				
<u>Revenue</u> – potential collection of court fees and attorney’s fees if the school district prevails §160.775.9 (2) p.11	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
<u>Revenue</u> – Fire protection districts (§321.295) – sale of surplus supplies p.21	Unknown	Unknown	Unknown	Unknown
<u>Revenue</u> – County Prosecutors/Law Enforcement (§491.641) – Reimbursement of pretrial witness protection costs p.224	Unknown	Unknown	Unknown	Unknown
<u>Revenue</u> – (§574.207) Court costs p.32	Less than \$250,000	Less than \$250,000	Less than \$250,000	Less than \$250,000
<u>Revenue</u> – Schools (§574.207) Fine revenue p.32	Less than \$250,000	Less than \$250,000	Less than \$250,000	Less than \$250,000
<u>Transfer In</u> – (§589.700) To Counties from Human Trafficking and Sexual Exploitation Fund p.34-35	Unknown	Unknown	Unknown	Unknown
<u>Revenue</u> – Local law enforcement - Grant monies received (§650.040) p.38-39	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
<u>Transfer In</u> - (§ 210.950) Reimbursement from the Safe Place for Newborns Fund to install incubators p.14-15	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown

<u>FISCAL IMPACT – Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2032)
<u>Cost</u> – (§§57.530) – to increase deputy salaries to \$50k per year p.10	(More or Less than \$1,666,667)	(More or Less than \$2,000,000)	(More or Less than \$2,000,000)	(More or Less than \$2,000,000)
<u>Cost</u> – Sheriff’s Retirement System - proportional increase in fringe benefit costs with an increase in salary for St. Louis City Sheriff Deputies (§§57.010 & 57.530) p.10	(Unknown)	(Unknown)	(Unknown)	(Unknown)
<u>Costs</u> – for implementation costs, court costs, attorney fees and damages (§160.775) p.11	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<u>Cost</u> – (§§320.500 – 320.528) – increased litigation p.20-21	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<u>Cost</u> - (§589.700) Human trafficking prevention, etc. p.34-35	(Unknown)	(Unknown)	(Unknown)	(Unknown)
<u>Costs</u> – Local law enforcement – additional costs to gather required data (§650.040) p.38-39	(Unknown)	(Unknown)	(Unknown)	(Unknown)
<u>Loss</u> – Schools districts (§407.300.5) Removal of specific fines from violations p. 24	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	<u>Unknown to (Unknown)</u>	<u>Unknown to (Unknown)</u>	<u>Unknown to (Unknown)</u>	<u>Unknown to (Unknown)</u>

FISCAL IMPACT – Small Business

This proposal may directly impact small businesses that sell kratom products. (§196.1170)

This proposal will impact small businesses that are required to have background checks performed before receiving licenses to operate. In addition, should any new or existing small businesses be unable to pass the state or federal criminal record check, they would be unable to do business in Missouri. (§301.155)

Small scrap businesses would be impacted by this proposal. (§407.300)

FISCAL DESCRIPTION

This bill creates provisions related to law enforcement "clearance rates", defined in the bill as the rate at which law enforcement agencies clear an "offense by arrest" or an "offense cleared by exceptional means", also defined in the bill.

This bill requires law enforcement agencies in the state to collect data documenting clearance rates and report the data on a monthly basis to the Department of Public Safety beginning on January 1, 2026. The Department must publish the information quarterly on its website by the 15th of the month following the close of the preceding quarter. The Department must report the information to the Governor, the Missouri Peace Officers Standards and Training (POST) Commission, the chair of the Senate Committee on the Judiciary and Civil and Criminal Jurisprudence and the chair of the House of Representatives Judiciary Committee by July 1, 2027, and every July after. The report must also be available on the Department's website. (§43.505)

Currently, sheriffs other than the sheriffs of the City of St. Louis and of St. Louis County are required to hold a valid peace officer license to be eligible to hold the office of sheriff. This bill repeals the provision excluding the sheriff of the City of St. Louis, thus requiring him or her to have a valid peace officer license to qualify to be sheriff.

The bill also requires the annual compensation for sheriffs' deputies in the City of St. Louis to be at least \$50,000, and it requires the sheriff to fix the compensation for deputy assistants. (§§57.010 & 57.530)

This bill modifies provisions relating to school anti-bullying policies. (§160.775)

This bill establishes the "Kratom Consumer Protection Act", which requires dealers who prepare, distribute, sell, or expose for sale kratom, as defined in the bill, to disclose the factual basis on which this representation is made. A dealer is prohibited from preparing, distributing, selling, or exposing for sale kratom that does not conform to these labeling requirements.

A dealer is prohibited from preparing, distributing, selling, or exposing for sale kratom that is adulterated or contaminated with a dangerous nonkratom substance, contains a level of 7-hydroxymitragynine in the alkaloid fraction that is greater than 2% composition of the product, contains any synthetic alkaloids, or does not include on its package or label the amount of mitragynine, 7-hydroxymitragynine, or other synthetically derived compounds of the plant

Mitragyna speciosa. A dealer is prohibited from distributing, selling, or exposing for sale kratom to anyone under 21 years of age.

The bill specifies penalties for a violation of these requirements and allows for a person who is aggrieved by a violation of the labeling requirements to bring a cause of action for damages resulting from the violation. (§196.1170)

The bill creates the "Safe Place for Newborns Fund" and provides that the state of Missouri will match moneys from the General Revenue Fund, in the amount of up to \$10,000 per installation of newborn safety incubators. (§210.950)

The proposed legislation modifies provisions relating to the protection of children and vulnerable persons. (§210.1505)

The proposal provides that probation violations are to be reported by probation officers to the court and prosecutor by the last day of each month. (§217.721)

This proposal modifies the sunset provision for the Line of Duty Compensation Act to 12 years after June 19, 2025. (§287.243)

This bill extends the authority of the Missouri Emergency Response Commission to collect fees from August 28, 202, to August 28, 2031. A one-time fee shall be calculated and shall be paid by November 1, 2025. (§292.606)

This bill requires a salvage license from the Department of Revenue to engage in the buying or selling of catalytic converters.

The bill requires scrap metal dealers and others regulated under Section 407.300, RSMo to require proof that the seller of a detached catalytic converter is a bona fide automobile repair shop or an affidavit that the converter was lawfully acquired. The make, model, year, and vehicle identification number of the vehicle from which the converter originated will be required and maintained for four years. Records will be submitted at least monthly to the Department of Revenue on a form provided by the Department in either a paper or electronic format as specified in the bill.

Transactions involving catalytic converters must occur at the fixed place of business of the scrap metal dealer or person regulated under Section 407.300. Such individuals must possess the catalytic converter for five days before modifying it in any way. Currently, anyone who knowingly purchases a stolen catalytic converter in violation of this section will be subject to penalties as specified in the section. This bill repeals the requirement that the purchaser knows the catalytic converter is stolen and provides that anyone convicted of violating this section is guilty of a class E felony in addition to being subject to having any business license revoked.

The bill clarifies that minor parts of heating and cooling equipment and equipment used in the generation and transmission of electrical power or telecommunications, including any catalytic converter of such equipment, remains subject to the provisions of the bill.

The bill adds that a person commits the offense of stealing if, for the purpose of depriving the owner of a lawful interest therein, he or she receives, retains, or disposes of a catalytic converter and knows it has been stolen, believes it has been stolen, or reasonably should have suspected that such property was stolen.

The bill establishes the offense of unlawful possession of a detached catalytic converter. This offense is a class E felony. A person commits the offense of unlawful possession of a detached catalytic converter if the person possesses a catalytic converter with the intent to sell unless:

- (1) The catalytic converter is possessed in the course of a legitimate business purpose;
- (2) The catalytic converter is a component or constituent part of an item or equipment owned by the individual; or
- (3) The possession of the catalytic converter is for some other lawful purpose. (§§301.218, 407.300, 570.030, and 570.031)

This bill modifies provisions related to criminal background checks.

The bill provides that the specified entities may require applicants seeking various licenses or permits to submit fingerprints to the Missouri State Highway Patrol for the purpose of undergoing state and federal criminal background checks.

The fingerprints and any required fees will be sent to the MSHP central repository and will be forwarded to the Federal Bureau of Investigation. The MSHP will notify the respective agency, board, or other oversight body of their applicants' criminal history or lack thereof. (§301.551)

This bill establishes the "Firefighters' Procedural Bill of Rights Act". The bill defines a "firefighter" to include a firefighter, paramedic, emergency medical technician, and emergency 911 dispatcher employed by a public agency, but it does not include an employee who has not successfully completed his or her probationary period established by an employer as a condition of employment.

Provisions in this bill include, but are not limited to, that it:

- (1) Specifies that, except when on duty or in uniform, no firefighter will be prohibited from engaging, or be coerced or required to engage, in political activity;
- (2) Specifies that firefighters will not be prohibited from seeking election to the governing board of a school district or any local agency where the firefighter is not currently employed;

(3) Creates several provisions for how interrogations must be conducted when any firefighter is under investigation by his or her commanding officer or any other member designated by the employing department or licensing or certifying agency, each of which is specified in the bill;

(4) Creates provisions for the reopening of an investigation against a firefighter, provided that the specified conditions are met; and

(5) Prohibits anyone from searching any firefighter's locker or other assigned storage space owned or leased by the employer, except in the firefighter's presence and with his or her consent, or unless a valid search warrant has been obtained, or unless he or she have been notified that a search will be conducted.

It is unlawful for any employing department or licensing or certifying agency to deny or refuse to any firefighter the rights and protections associated with this bill. The circuit court of the county of proper venue possesses initial jurisdiction over any proceeding brought by any firefighter against any employing department or licensing or certifying agency for violations of the these provisions. If the court finds a violation has occurred, it must render appropriate extraordinary or injunctive relief to remedy the violation and prevent future occurrences of a similar nature. If the court finds that a bad faith or frivolous action or filing has been brought for an improper purpose, the court may order sanctions against the filing party, their attorney, or both.

In addition to the aforementioned extraordinary relief afforded by the provisions of this bill, upon a court's finding that a fire department, its employees, agents, or assigns, have maliciously violated any provisions mentioned within the bill with the intent to injure the firefighter, the fire department will be, for each violation, liable for a civil penalty up to \$25,000, to be awarded to the firefighter whose right or protection was denied, and for reasonable attorney's fees as may be so determined by the court. If there is sufficient evidence that actual damages occurred against the firefighter in question, the department will also be liable for the amount of the actual damages.

A fire department will not be required to indemnify a contractor for their liability under this provision if, within the contract between the department and the contractor, a hold harmless or similar provision protecting the fire department from liability for actions of the contractor.

Nothing throughout this bill can be construed, in any way, to limit the ability of any employment department, licensing or certifying agency, or any firefighter to fulfill mutual aid agreements with other jurisdictions or agencies, and the provisions of this bill cannot be construed in any way to limit any kind of jurisdictional or inter-agency cooperation under any circumstances where that activity is deemed necessary or desirable by those jurisdictions or agencies so involved.

All rights and protections expressed in the provisions of this bill will only apply to firefighters in events and circumstances in which they are performing their official duties. (§§320.500 – 320.528)

The board of directors of a fire protection district may distribute surplus or unneeded supplies or property to volunteer fire protection associations. The board of directors may sell surplus or unneeded supplies or property that are not transferred to fire protection associations, districts, or departments or eligible donees to the general public by auction, sealed bid as long as the surplus property is not donated or sold to board members, officers or employees of the district or their relatives unless sold on an online auction platform approved by the Missouri Office of Administration. (§321.295)

Under current law, any law enforcement agency may use funds from the "Pretrial Witness Protection Services Fund" to provide for the security of witnesses and immediate family members during criminal proceedings. This act adds that prosecuting and circuit attorney offices may also use such funds.

This act also repeals certain application requirements for reimbursement of costs for witness protection and provides that law enforcement agencies and prosecuting and circuit attorney offices shall submit an application to the Department of Public Safety. (§491.641)

This act creates the offense of interference with a first responder, which shall be a class A misdemeanor. A person commits the offense when a person has received a verbal warning not to approach from a first responder who is engaged in the lawful performance of a legal duty and the person knowingly and willfully violates the verbal warning and approaches within 25 feet with the intent to:

- (1) Impede or interfere with the first responder's ability to perform his or her legal duty;
- (2) Threaten the first responder with physical harm; or
- (3) Engage in conduct directed at a first responder that intentionally causes emotional distress and serves no legitimate purpose. (§574.207)

This bill amends the offenses of drug trafficking in the first degree and drug trafficking in the second degree.

Currently, trafficking drugs in the first degree is a class B felony if the person knowingly distributes, delivers, manufactures, or produces, or attempts to distribute, deliver, manufacture, or produce more than 10 milligrams of fentanyl. It is a class A felony if the amount is 20 milligrams or more.

Trafficking drugs in the second degree is a class C felony if the person knowingly possesses or has under his or her control, purchases or attempts to purchase, or brings into this State more than 10 milligrams of fentanyl, and is a class B felony if the amount is 20 milligrams or more.

This bill amends the quantities of fentanyl for the offense of trafficking of drugs, in the first and second degree, as follows:

(1) Drug trafficking in the first degree is a class B felony for more than three but less than 14 milligrams of fentanyl;

(2) Drug trafficking in the first degree is a class A felony for more than 14 milligrams of fentanyl;

(3) Drug trafficking in the second degree is a class C felony for more than three but less than 14 milligrams of fentanyl;

(4) Drug trafficking in the second degree is a class B felony for more than 14 milligrams of fentanyl.

Under the offense of trafficking drugs in the first degree, trafficking any amount of carfentanil up to .05 milligrams is a class B felony, and trafficking more than .05 milligrams is a class A felony. Under the offense of trafficking drugs in the second degree, trafficking any amount of carfentanil up to .05 milligrams is a class C felony, and trafficking more than .05 milligrams is a class B felony. (§§579.065 and 579.068)

This bill provides that a person who pled guilty to or was found guilty of certain sexual offenses as specified in the bill will be required to pay \$10,000 in restitution per identified victim and \$2,500 for each county in which the offense or offenses occurred, payable to the State to be deposited into the newly established "Human Trafficking and Sexual Exploitation Fund". Upon receipt of money from the Fund, a county must allocate disbursement of the funds according to the requirements in the bill.

This bill establishes the "Human Trafficking and Sexual Exploitation Fund". The moneys in the Fund will be distributed to the county where the human trafficking offense occurred.

The county will allocate \$10,000 toward local rehabilitation of human trafficking victims and \$2,500 toward local education programs for convicted human trafficking offenders and to increase the number of law enforcement officers to enforce human trafficking laws. (§589.700)

This bill adds that a person who pleads guilty to a class E felony must pay a fee of \$46 payable to the Crime Victims' Compensation Fund. (§595.045)

The bill creates the "Missouri Violent Crime Clearance Grant Program" within the Department of Public Safety, the purpose of which is to improve law enforcement strategies and initiatives aimed at increasing violent crime clearance rates. The bill describes eligible uses for grant funding as well as to which law enforcement agencies the Department will give priority in awarding grants. Agencies awarded grant funding must report to the Department annually on the activities carried out to reduce violent crime and improve clearance rates during the preceding fiscal year, as specified in the bill. (§650.040)

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
Office of Administration –
 Administrative Hearing Commission
 Budget and Planning
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 -
 Alcohol and Tobacco Control
 Capitol Police
 Fire Safety
 Director's Office
 Missouri Gaming Commission
 Missouri Highway Patrol
 Missouri Veterans Commission
 State Emergency Management Agency
Department of Social Services
Office of the Governor
Missouri Department of Agriculture
Missouri Department of Conservation
Missouri Ethics Commission
Missouri Department of Transportation
Missouri National Guard
MoDOT & Patrol Employees' Retirement System
Office of Administration
Petroleum Storage Tank Insurance Fund
Office of the Secretary of State
Office of the State Treasurer
Office of the State Public Defender

University of Missouri System
City of Kansas City
City of O'Fallon
City of Osceola
City of St. Louis
Clay County Auditor
Phelps County Sheriff
Branson Police Department
Kansas City Police Department
Springfield Police Department
St. Louis County Police Department
Sheriff's Retirement System
Northwest Missouri State University
University of Central Missouri
Office of the State Auditor
Office of the Lieutenant Governor
Missouri House of Representatives
Joint Committee on Administrative Rules
Joint Committee on Education
Joint Committee on Public Employee Retirement
Missouri Higher Education Loan Authority
Legislative Research
Oversight Division
Missouri Senate
Missouri Lottery Commission
Missouri Consolidated Health Care Plan
Missouri State Employee's Retirement System
Missouri Office of Prosecution Services
Office of the State Courts Administrator
State Tax Commission
Washington School District
Fruitland Area Fire Protection District
Joplin School District



Julie Morff
Director
May 5, 2025



Jessica Harris
Assistant Director
May 5, 2025