

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0780H.04C
Bill No.: HCS for SS for SB 218
Subject: Courts; Criminal Procedure; Crimes and Punishment; Mental Health; Juries;
Courts, Juvenile; Children and Minors; Probation and Parole; Judges; Civil
Procedure
Type: Original
Date: April 30, 2025

Bill Summary: This proposal modifies and establishes provisions relating to court operations.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2030)
General Revenue*/**	More or Less than (\$1,631,996)	More or Less than (\$1,777,800)	More or Less than (\$1,892,411)	More or Less than (\$2,057,911)
Total Estimated Net Effect on General Revenue	More or Less than (\$1,631,996)	More or Less than (\$1,777,800)	More or Less than (\$1,892,411)	More or Less than (\$2,057,911)

*Oversight notes estimated costs include interpreter services for OSCA, increased incarceration costs, cost to establish mental health treatment courts, potential transfer for LEF claims, and additional judgeships and support staff.

**Oversight notes a potential savings from a reduction in costs to DOC from diversions to mental health treatment courts. The savings could exceed \$250,000 annually. Without additional information, Oversight cannot estimate the net impact.

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 2030)
Other State**	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
Legal Expense*	\$0	\$0	\$0	\$0
Colleges and Universities**	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
Basic Civil Legal Services	(\$424,221)	(\$848,441)	(\$848,441)	(\$848,441)
Treatment Court Resources*	\$0	\$0	\$0	\$0
Total Estimated Net Effect on <u>Other</u> State Funds	Could exceed (\$424,221)	Could exceed (\$848,441)	Could exceed (\$848,441)	Could exceed (\$848,441)

*Income and payouts assumed to net to zero.

**Potential costs for LEF claims.

ESTIMATED NET EFFECT ON FEDERAL FUNDS				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2030)
Federal*	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

* Potential costs for LEF claims.

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2030)
General Revenue	4 FTE	4 FTE	4 FTE	4 FTE
Basic Civil Legal Services	2 FTE	2 FTE	2 FTE	2 FTE
Total Estimated Net Effect on FTE	6 FTE	6 FTE	6 FTE	6 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 2030)
Local Government*	Unknown to (Unknown)	Unknown to (Unknown)	Unknown to (Unknown)	Unknown to (Unknown)

* Potential costs for LEF claims.

FISCAL ANALYSIS

ASSUMPTION

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

Officials from the **Clay County Auditor** estimate this proposal will 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. However, 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.

§476.806 – Modifies provisions relating to fees and expenses for an interpreter/translator

In response to similar legislation from the current session (HB 182), officials from the **Office of the State Courts Administrator (OSCA)** stated pursuant to the most recent census data, 6.3 % of the Missouri population speaks a language other than English at home, and of those, 2.1 % have limited English proficiency.

OSCA assumes that with approximately 981,299 civil cases with a minimum of two hours for an interpreter per case, the cost is projected to be \$324,565 annually to the General Revenue Fund. (981,299 *6.3%*2.1%*\$125 interpreter rate/hr *2 = \$324,565)

Oversight notes the Missouri Economic Research and Information Center (MERIC) tracks language diversity to inform the public, businesses, agencies, organizations, and other stakeholders of the unique language diversity across Missouri. The U.S. Census Bureau's American Community Survey asks if a person speaks a language other than English at home, what language they speak, and how well they speak English to create statistics about language and the ability to speak English.

In a report issued by the Department of Higher Education and Workforce Development, reporting on Missouri Language Diversity (Many Languages of Missouri, February 2024), data from the American Community Survey 5-Year estimates for 2018-2022 state 94% of Missouri residents speak only English. The remaining 6% have a primary language other than English but include those fluent in English as well as those with have a limited proficiency in English.

In addition, information provided by the Migration Policy Institute for 2022 provides that for Missouri's population age 5 and older, 6.4% of the population speak a language other than English at home. Of those that are foreign born, 37.3% speak English less than "very well".

Therefore, for fiscal note purposes, **Oversight** will use the estimates provided by OSCA.

In response to similar legislation from the current session (HB 182), 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 (HB 182), officials from the **Office of the State Public Defender** 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.

§§476.1300 - 476.1313, 575.095, and 575.260 – Modifies provisions relating to judicial security

Officials from the **Department of Corrections (DOC)** state §575.095 enhances the penalty for the offense of tampering with a judicial officer, adding to the existing class B felony the stipulation that no person convicted under this section shall be eligible for parole, probation, or conditional release. This means offenders will be required to serve 100% of those sentences in prison.

Section 575.260 enhances the penalty for the offense of tampering with a judicial proceeding, adding to the existing class D felony the stipulation that no person convicted under this section shall be eligible for parole, probation, or conditional release. This means offenders will be required to serve 100% of those sentences in prison.

There were six new court commitments to prison under §575.095 and one under §575.260 in FY 2024. The average length of those sentences was 4.5 years. On average, offenders serving sentences under these sections spend 0.3 years in prison prior to first release. (There have only been 3 first releases on sentences under these sections in the previous three fiscal years.) There were also two new probation cases assigned to the DOC under §575.095 in FY 2024.

The new legislation would take away the options of probation, parole or conditional release, and require the offenders serve the full 4.5 years of their sentence in prison.

The cumulative impact on the DOC is estimated to be 29 additional offenders in prison and 26 fewer offenders on field supervision by FY 2030.

Change in prison admissions and probation openings with legislation

	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032	FY2033	FY2034	FY2035
New Admissions										
Current Law	7	7	7	7	7	7	7	7	7	7
After Legislation	9	9	9	9	9	9	9	9	9	9
Probation										
Current Law	2	2	2	2	2	2	2	2	2	2
After Legislation	0	0	0	0	0	0	0	0	0	0
Change (After Legislation - Current Law)										
Admissions	2	2	2	2	2	2	2	2	2	2
Probations	-2	-2	-2	-2	-2	-2	-2	-2	-2	-2
Cumulative Populations										
Prison	2	6	15	24	29	29	29	29	29	29
Parole		-2	-9	-16	-20	-20	-20	-20	-20	-20
Probation	-2	-4	-6	-6	-6	-6	-6	-6	-6	-6
Impact										
Prison Population	2	6	15	24	29	29	29	29	29	29
Field Population	-2	-6	-15	-22	-26	-26	-26	-26	-26	-26
Population Change				2	3	3	3	3	3	3

* 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.

	# 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	2	(\$10,485)	(\$17,475)	0	\$0	(2)	(\$17,475)
Year 2	6	(\$10,485)	(\$64,168)	0	\$0	(6)	(\$64,168)
Year 3	15	(\$10,485)	(\$163,629)	0	\$0	(15)	(\$163,629)
Year 4	24	(\$10,485)	(\$267,042)	0	\$0	(22)	(\$267,042)
Year 5	29	(\$10,485)	(\$329,129)	0	\$0	(26)	(\$329,129)
Year 6	29	(\$10,485)	(\$335,712)	0	\$0	(26)	(\$335,712)
Year 7	29	(\$10,485)	(\$342,429)	0	\$0	(26)	(\$342,429)
Year 8	29	(\$10,485)	(\$349,275)	0	\$0	(26)	(\$349,275)
Year 9	29	(\$10,485)	(\$356,260)	0	\$0	(26)	(\$356,260)
Year 10	29	(\$10,485)	(\$363,385)	0	\$0	(26)	(\$363,385)

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

Officials from the **Office of Administration (OA)** state §§476.1300 to 476.1313 of this bill provides restrictions on the use of a court-related officer's personal information and establishes civil remedies for violation, including costs and attorney fees. These provisions have the potential to increase costs to the Legal Expense Fund (LEF) if a claim were successfully brought against a state employee for violation of this legislation.

Oversight notes because this bill creates a possible new cause of action, Oversight will show a net \$0 direct fiscal impact for the LEF and a possible \$0 to (unknown) fiscal impact to General Revenue and other state funds. Oversight notes the possible litigation exposure as described by OA could also apply to colleges and universities, federal funds, as well as local political subdivisions as the LEF does not cover costs for local political subdivisions or colleges and universities in most cases. For fiscal note purposes only, Oversight will range costs from \$0 to (Unknown) for all funds. Oversight will assume the unknown impact could reach the \$250,000 threshold.

In response to similar legislation from the current session (HCS HB 1457), officials from the **Office of Attorney General (AGO)** assume any potential litigation costs arising from this proposal can be absorbed with existing resources. The AGO may seek additional appropriations if the proposal results in a significant increase in litigation or investigation costs.

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 1457), officials from the **Office of the State Public Defender**, the **St. Louis City Board of Elections**, the **County Employees' Retirement Fund**, the **Kansas City Public School Retirement System**, the **Morgan County Public Water Supply District #2**, and the **Joint Committee on Education** each assumed the proposal will have no fiscal impact on their respective organizations.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

In response to the previous version of this proposal, officials from the **City of Osceola**, the **Osceola Water/Wastewater District** and the **Mid-Continent Public Library** each assumed the proposal would have no fiscal impact on their respective organizations.

§477.650 – Basic Civil Legal Services Fund

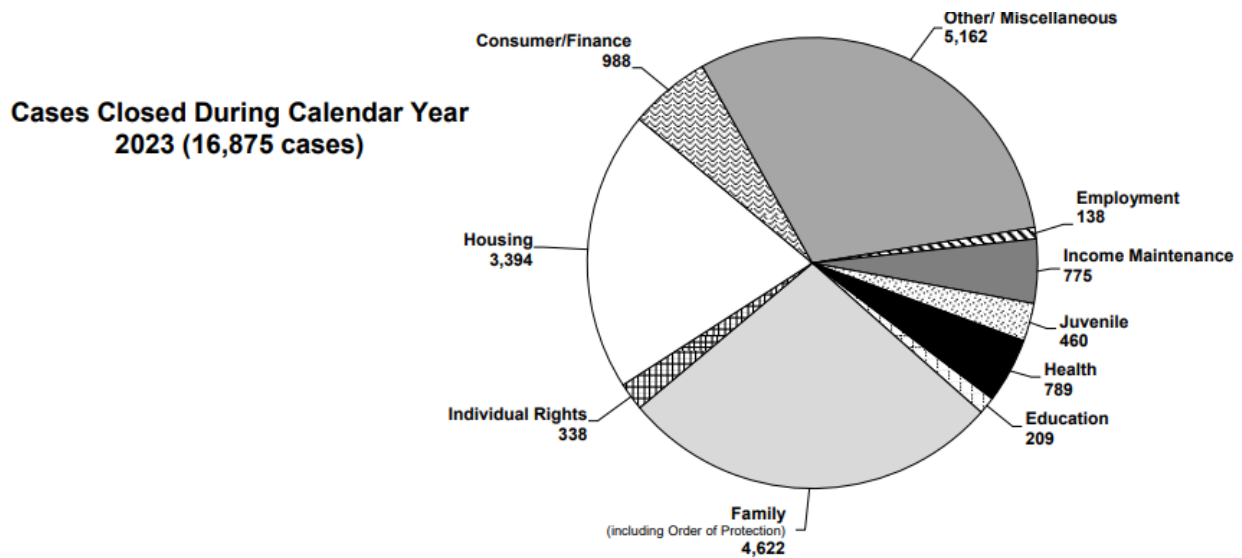
Officials from the **Office of the State Courts Administrator (OSCA)** assume this proposal would repeal the expiration date of the Basic Civil Legal Services Fund. The Basic Civil Legal Services Fund annual appropriations are approximately \$5.1 million and 2 FTE.

Oversight notes the Basic Civil Legal Services Fund (BCLS) is a statutorily created fund (SB 447 in 2003) and was created to fund the work of Missouri's four Legal Aid programs, which provide access to the civil justice system to low-income Missourians (who live at or below 125% of the Federal Poverty Level) to protect their fundamental legal rights. The fund is set to expire December 31, 2025.

One of the focuses of the Legal Aid programs is to ensure that adults and children have access to medical care through the MoHealthNet system.

Legal Aid staff bring cases to obtain access to medical care for their clients. There are four regional Legal Aid offices: Kansas City, St. Louis, Columbia and Springfield. In FY22, over \$125 million from punitive damages awarded in talc litigation in Missouri was transferred from the Tort Victims Compensation Fund into the BCLS. This represents the largest single payment into the BCLS, and this funding was paid to legal service organizations.

Below is a chart of the number of cases closed during CY 2023 representing the BCLS Fund:



The fund has a court filing fee on certain civil and criminal actions of \$20 in the Missouri Supreme Court and Court of Appeals, \$10 in the circuit courts and \$8 in the associate circuit courts. The fund has received the following receipts during FY 2020 to FY 2024:

Basic Civil Legal Services Fund (0757)	
FY 20	\$ 4,290,667
FY 21	\$ 3,868,347
FY 22	\$ 3,865,619
FY 23	\$ 4,047,390
FY 24	\$ 4,281,742
Total	\$20,353,765
5 year avg	\$ 4,070,753
Source: State Treasurer Fund Activity Reports	

Below is a history of the expended funds for the last 5 years:

Basic Civil Legal Services Fund (0757)			
		Actual	Unexpended
	Appropriation	Expenditures	Funds
FY 20	\$5,099,958	\$4,467,368	\$ 632,590
FY 21	\$7,701,418	\$7,559,124	\$ 142,294
FY 22	\$5,102,383	\$3,903,651	\$1,198,732
FY 23	\$5,108,764	\$3,997,430	\$1,111,334
FY 24	\$5,117,803	\$4,668,397	\$ 449,406
FY 25	\$5,127,681	N/A	N/A
Last 5 yr avg.	\$5,626,065	\$4,919,194	\$ 706,871

Source: OSCA Budget Requests Books

Oversight notes the balance of the BCLS (0757) at December 31, 2024 was \$264,070.

Oversight notes this proposal removes the expiration date of these provisions. If the proposal is extended, Oversight assumes revenue and expenditure activity will continue for the fund. Since the fund does not expire until December 31, 2025, Oversight assumes only half of the average receipts and expenditures would be shown for FY26. Therefore, Oversight will use the average amounts from the table above to reflect the fiscal impact.

The appropriations for the BCLS Fund includes 2 FTEs according to OSCA. **Oversight** assumes should this proposal be extended, the 2 FTEs will also continue to be funded through the BCLS Fund.

In response to similar legislation from the current session (HB 124), officials from the **Office of Attorney General (AGO)** assumed any additional litigation costs arising from this proposal can be absorbed with existing personnel and resources. However, the AGO may seek additional appropriations if there is a significant increase in litigation.

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

Officials from the **Office of Administration - Budget and Planning** state \$477.650.7 is repealed and therefore, eliminates the current December 31, 2025, sunset date for the Basic Civil Legal Services Fund. Because the elimination of this sunset will preserve the status quo, it will have no impact on state revenues, TSR or 18e.

In response to similar legislation from the current session (HB 124), officials from the **Office of the State Public Defender** assumed the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this agency.

Oversight notes the balance of the BCLS (0757) at December 31, 2024 was \$264,070.

§478.001 – Treatment courts

Officials from the **Office of the State Courts Administrator (OSCA)** state the potential budgetary impact of this proposal could initially be \$600,000 and continue to increase to an unknown amount due to the growth in mental health courts. Any significant changes will be reflected in future budget requests.

Oversight notes this proposal provides that before August 28, 2027, a treatment court division shall be established by each circuit court to provide an alternative system to dispose of cases which stem from a substance use disorder or mental health disorder. A mental health court may be established by any circuit court to provide an alternative to dispose of cases that stem from a mental health disorder or co-occurring disorder.

Currently all 46 circuits provide treatment court services with an estimated 6,092 participants for CY 2023. The Treatment Court Division has 147 programs representing services for adult drugs, DWI, veterans, families and juveniles. Oversight assumes this proposal will add mental health to the services as an alternative to incarceration/probation.

Based upon FY 2023 expenditures for treatment courts using the Treatment Court Resources Fund (0733), cost per participant is \$1,521 (\$9,642,143/6,092). There are many other factors that affect the operating costs associated with establishing and maintaining treatment courts which vary from county to county throughout the state.

OSCA's budget book presented the following information:

	CY 2023 participants	CY 2023 Programs
Adult Drug Treatment Court	4,245	82
DWI Treatment Court	1,016	27
Veterans Treatment Court	369	17
Family Treatment Court	429	17
Juvenile Treatment Court	33	4

Oversight is unaware of the number of mental health treatment courts that could be established, when those services would be needed and/or where those services would be located. Oversight assumes when the mental health treatment court services are needed within a certain circuit, OSCA would request the proper appropriation authority for those expenditures through the budget appropriation process. Therefore, Oversight will reflect a \$0 or (Could exceed \$600,000)

in costs because of the potential growth in mental health courts. Oversight will reflect this as a transfer out of the General Revenue Fund and transfer into the Treatment Court Resources Fund.

Officials from the **Department of Corrections (DOC)** state §478.001 adds that a mental health treatment court may be established by any circuit court to provide an alternative for the judicial system to dispose of cases that stem from a mental health disorder or co-occurring disorder. The department uses a classification system (1-5) that correlates an offender's mental health impairment with the necessary services and/or interventions for treatment of the disorder. It is unknown how many of the offenders with applicable mental health concerns that would typically be sentenced to the Department of Corrections would instead be diverted by the court to a mental health treatment court. Therefore, the department assumes an **unknown fiscal impact**.

Regarding §478.001.7, as statute has already mandated veterans treatment courts may be created, it is assumed the courts have already done so and have been utilizing them. Therefore, this change has no impact.

Oversight notes the provisions of this section provide for the establishment of a mental health court as an alternative for the disposal of cases that typically are sentenced to the DOC. In response to similar legislation from the current session (SB 143), DOC stated the department is unable to project a savings amount and assumes an unknown fiscal impact. Oversight notes if only 24 people are diverted away from DOC as a result of the mental health treatment courts, the savings would exceed \$250,000 annually (\$10,485 annual incarceration costs *24 = \$251,640). Therefore, for fiscal note purposes, Oversight will present a \$0 to unknown savings to the General Revenue Fund.

In response to similar legislation from the current session (HCS HB 82), 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.

Officials from the **Office of Administration - Budget and Planning** state §478.001(9) creates a statutory definition for a "mental health treatment court" and §478.001.8 provides a mental health treatment court may be established by any circuit court. While this section's provisions will not impact TSR, the establishment of additional treatment courts may create a need for additional state resources for such courts through the treatment court resources fund, which is funded by a general revenue transfer. Treatment court resources funds are subject to appropriation.

In response to similar legislation from the current session (HCS HB 82), officials from the **Office of the State Public Defender** 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.

§§ 478.690 and 478.710– Adds additional judgeships in certain judicial circuits

Officials from the **Office of the State Courts Administrator (OSCA)** state this proposed legislation authorizes additional Judgeships in certain Judicial Circuits.

§478.690 – Circuit Judge to 24th judicial circuit

Section 478.690 adds one additional circuit judge to the Twenty-Fourth Judicial circuit to be elected in 2026. The FY26 salary of a circuit judge is projected to be \$180,602 plus E&E of \$2,978 (\$2,117 one-time; \$861 on-going).

The addition of a circuit judge includes a court reporter for the circuit judge. The FY25 starting salary of a court reporter is \$72,516 plus E &E of \$2,978(\$2,117 one-time; \$861 on-going).

§478.710 - Circuit Judge to 32nd judicial circuit

Section 478.710 adds one additional circuit judge to the Thirty-Second Judicial circuit to be elected in 2028. The FY26 salary of a circuit judge is projected to be \$180,602 plus E&E of \$2,978 (\$2,117 one-time; \$861 on-going).

The addition of a circuit judge includes a court reporter for the circuit judge. The FY25 starting salary of a court reporter is \$72,516 plus E &E of \$2,978 (\$2,117 one-time; \$861 on-going).

Oversight has no information to the contrary. Oversight notes the estimated cost provided by OSCA do not include fringe benefits. For fiscal note purposes, Oversight will estimate the fringe benefits for the proposed FTE, plus a 2% inflation factor for salaries and E&E.

Officials from the **Office of Administration - Budget and Planning (B&P)** state:

Section 478.690.1 mandates there shall be three circuit judges in the twenty-fourth judicial circuit rather than the two currently mandated in statute. In the event there are not already three circuit judges funded in the Judiciary's budget, this legislative change may prompt a new funding request from the Judiciary. B&P defers to OSCA for specific cost estimates.

Section 478.710.1 mandates there shall be three circuit judges in the thirty-second judicial circuit rather than the two currently mandated in statute. In the event there are not already three circuit judges funded in the Judiciary's budget, this legislative change may prompt a new funding request from the Judiciary. B&P defers to OSCA for specific cost estimates.

§§488.040 & 494.455 – Compensation of Jurors

Officials from the **Office of the State Courts Administrator (OSCA)** state the proposed legislation modifies provisions relating to the compensation of jurors. Section 494.455 states that in any county, or city not within a county, upon adoption by a majority vote of the governing body, no grand or petit juror shall receive compensation for the first two days of service but shall receive fifty dollars per day for the third day and each subsequent day he or she may serve. These funds are to be paid by the county. It is unknown how many counties will participate and the increase may result in an unknown cost or savings to the state or county. Section 494.455 also ties the juror mileage rate to the mileage rate as provided by law for state employees (rather than seven cents per mile).

Oversight has no information to the contrary. Oversight assumes the (Unknown) to Unknown impact will be less than \$250,000 annually.

Officials from the **Clay County Auditor** state the provisions of §494.455 will result in approximately a \$1,000 increase per year in mileage reimbursement for jurors.

Oversight has no information to the contrary. Oversight assumes Clay County can absorb this minimal increase in mileage reimbursement and will present no fiscal impact for this organization.

Officials from the **Office of Administration - Budget and Planning** state §488.040 revises current juror compensation requirements and may result in a change to the costs incurred by state and local courts for such compensation.

Oversight notes §488.040 is removing language and clarifying the statute to follow the language in §494.455. Oversight notes the compensation for jurors will remain the same as outlined in §494.455, however, this proposal is increasing the mileage compensation from 7 cents per mile to the state employee rate as outlined in §33.095 (currently 65 ½ cents per mile). Because of the increased rate, Oversight will, therefore, reflect an unknown cost to circuit funds.

Oversight also notes subsection 3 is being removed in §494.455 and is adding clarifying language stating, “by majority vote, the governing body of a county or a city not within a county may adopt a system for juror compensation in a county or in a city not within a county” as follows: each grand or petit juror shall receive \$50 per day starting on the third day and each subsequent day of actual service plus the mileage rate per §33.095 for a state employee provided that no compensation for the first two days is received. Oversight is unsure how many county circuits would participate and if the increase in compensation would result in an unknown cost or savings to the state or county. Therefore, Oversight will reflect a \$0 (no adoption by governing body) or unknown cost or savings to General Revenue and county circuits for this proposal.

Bill as a whole

Officials from the **Office of the State Courts Administrator (OSCA)** state §§455.010, 455.035, 455.513, 476.1025, 476.1300, 476.1302, 476.1304, 476.1306, 476.1308, 476.1310, 476.1313, 575.095 & 575.260 may have some impact but there is no way to quantify that amount currently. Any significant changes will be reflected in future budget requests.

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

Officials from the **Metropolitan St. Louis Sewer District (MSD)** state the proposed legislation would impact MSD to the extent that staff time would be necessary to note accounts when written requests are received so as not to provide personal identification information and also to redact that information from any future sunshine law requests received for that information.

Oversight has no information to the contrary. Oversight assumes the MSD could absorb the additional staff time that might be required to redact personal information and will present no fiscal impact for this organization for fiscal note purposes.

Officials from the **Office of the Governor (GOV)** state this bill adds to the Governor's current load of appointment duties. Individually, additional requirements should not fiscally impact the GOV. However, the cumulative impact of additional appointment duties across all enacted legislation may require additional resources for the Office of the Governor.

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

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 Health and Senior Services, the Department of Mental Health, the Department of Natural Resources, the Department of Labor and Industrial Relations, the Department of Revenue, the Department of Public Safety, Divisions of: Alcohol and Tobacco Control, Capitol Police, Fire Safety, Director's Office, Missouri Gaming Commission, Missouri State Highway Patrol, Missouri Veterans Commission, and State Emergency Management Agency, the Department of Social Services, the Missouri Department of Agriculture, the Missouri Department of Conservation, the Missouri Ethics Commission, the Missouri Department of Transportation, the Missouri National Guard, the MoDOT & Patrol Employees' Retirement System, the Petroleum Storage Tank Insurance Fund, the Office of the State**

Treasurer, the University of Missouri System, the City of Kansas City, the City of O’Fallon, the Jackson County Election Board, the Kansas City Election Board, the Platte County Board of Elections, the St. Louis County Board of Elections, the Newton County Health Department, the Phelps County Sheriff, the Branson Police Department, the Kansas City Police Department, the St. Louis County Police Department, the County Employees Retirement Fund, the Kansas City Civilian Police Employees’ Retirement, the Kansas City Police Retirement System, the Public Education Employees’ Retirement System, the Sheriff’s Retirement System, the South River Drainage District, the St. Charles County Public Water Supply District #2, the Wayne County Public Water Supply District #2, the University of Central Missouri, the Office of the Lieutenant Governor, the Office of the State Auditor, the Missouri House of Representatives, the Joint Committee on Public Employee Retirement, Legislative Research, the Oversight Division, the Missouri Senate, the Missouri Lottery Commission, the Missouri Consolidated Health Care Plan, the Missouri Office of Prosecution Services, the Missouri State Employee’s Retirement System and the State Tax Commission each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other cities, various county commissioners, local election authorities, county health departments, county recorders, nursing homes, county assessors, county auditors, county circuit clerks, county collectors, county prosecutors, county treasurers, county public administrators, county clerks, local law enforcement agencies, fire protection districts, ambulance districts, retirement agencies, schools & charter schools, utility districts, hospitals, colleges and universities, electric companies and coops, solid waste management districts and public libraries 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.

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.

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2030)
GENERAL REVENUE FUND				
<u>Savings</u> – DOC (§478.001) – reduction in costs resulting from diversions to mental health treatment courts p.12	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Costs</u> – OSCA (§§455.010, 455.035, 455.513, 476.1025, 476.1300, 476.1302, 476.1304, 476.1306, 476.1308, 476.1310, 476.1313, 575.095 & 575.260) – potential increase in costs p.15	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<u>Costs</u> – OSCA (§476.806) – interpreter services for civil cases p.8-10	(\$270,471)	(\$324,565)	(\$324,565)	(\$324,565)
<u>Costs</u> – DOC (§§575.095 and 575.260) – increase in incarcerations p.5-7	(\$17,475)	(\$64,168)	(\$163,629)	(\$329,129)
<u>Costs</u> – State agencies (§§476.1300 - 476.1313) – potential contributions to Legal Expense Fund for violations and payment of claims p.7	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<u>Transfer Out</u> – (§478.001) – to establish mental health treatment courts p.11-12	\$0 or (Could exceed \$600,000)	\$0 or (Could exceed \$600,000)	\$0 or (Could exceed \$600,000)	\$0 or (Could exceed \$600,000)

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2030)
GENERAL REVENUE FUND (continued)				
<u>Costs</u> – OSCA (§§478.690 & 478.710) p.13				Could exceed...
Personal service	(\$421,863)	(\$455,161)	(\$464,264)	(\$464,264)
Fringe benefits	(\$310,849)	(\$330,393)	(\$336,370)	(\$336,370)
Equipment and expense	(\$11,338)	(\$3,513)	(\$3,583)	(\$3,583)
<u>Total Costs</u> – OSCA	(\$744,050)	(\$789,067)	(\$804,217)	(\$804,217)
FTE Change – OSCA	4 FTE	4 FTE	4 FTE	4 FTE
<u>Cost/Savings</u> – OSCA – potential adoption of new compensation method for jurors by circuits (§494.455) p.14	<u>\$0 or Unknown to (Unknown)</u>	<u>\$0 or Unknown to (Unknown)</u>	<u>\$0 or Unknown to (Unknown)</u>	<u>\$0 or Unknown to (Unknown)</u>
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>More or Less than (\$1,631,996)</u>	<u>More or Less than (\$1,777,800)</u>	<u>More or Less than (\$1,892,411)</u>	<u>More or Less than (\$2,057,911)</u>
Estimated Net FTE Change on the General Revenue Fund	4 FTE	4 FTE	4 FTE	4 FTE
OTHER STATE FUNDS				
<u>Costs</u> (§§476.1300 - 476.1313) – potential contributions to Legal Expense Fund for violations and payment of claims p.7	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
ESTIMATED NET EFFECT ON OTHER STATE FUNDS	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2030)
LEGAL EXPENSE FUND				
<u>Income</u> – (§§476.1300 - 476.1313) - payments to cover potential costs of payouts for violations and payment of claims p.7	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Costs</u> (§§476.1300 - 476.1313) – payouts for violations and payment of claims p.7	<u>\$0 to</u> (Unknown)	<u>\$0 to</u> (Unknown)	<u>\$0 to</u> (Unknown)	<u>\$0 to</u> (Unknown)
ESTIMATED NET EFFECT ON THE LEGAL EXPENSE FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
COLLEGES AND UNIVERSITIES				
<u>Costs</u> – (§§476.1300 - 476.1313) – increase in potential judgements for violations and payments of claims p.7	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
ESTIMATED NET EFFECT ON COLLEGES AND UNIVERSITIES	<u>\$0 to</u> (Unknown)	<u>\$0 to</u> (Unknown)	<u>\$0 to</u> (Unknown)	<u>\$0 to</u> (Unknown)

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2030)
BASIC CIVIL LEGAL SERVICES FUND (0757)				
<u>Revenue</u> – OSCA – continuation of receipts received from court fee (§477.650) p.8-10	\$2,035,376	\$4,070,753	\$4,070,753	\$4,070,753
<u>Cost</u> – OSCA – continuation of expenditures (§477.650) p.8-10	<u>(\$2,459,597)</u>	<u>(\$4,919,194)</u>	<u>(\$4,919,194)</u>	<u>(\$4,919,194)</u>
ESTIMATED NET EFFECT ON THE BASIC CIVIL LEGAL SERVICES FUND	<u>(\$424,221)</u>	<u>(\$848,441)</u>	<u>(\$848,441)</u>	<u>(\$848,441)</u>
Estimated Net FTE Change for the Basic Civil Legal Services Fund	2 FTE	2 FTE	2 FTE	2 FTE
TREATMENT COURT RESOURCES FUND				
<u>Transfer In</u> – funds from GR (§478.001) p.11-12	\$0 or Could exceed \$600,000	\$0 or Could exceed \$600,000	\$0 or Could exceed \$600,000	\$0 or Could exceed \$600,000
<u>Cost</u> – program expenditures (§478.001) p.11-12	\$0 or (Could exceed \$600,000)	\$0 or (Could exceed \$600,000)	\$0 or (Could exceed \$600,000)	\$0 or (Could exceed \$600,000)
ESTIMATED NET EFFECT ON TREATMENT COURT RESOURCES FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2030)
FEDERAL FUNDS				
<u>Costs</u> – (§§476.1300 - 476.1313) – increase in potential judgements for violations and payments of claims p.7	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
ESTIMATED NET EFFECT ON FEDERAL FUNDS	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2030)
LOCAL POLITICAL SUBDIVISIONS				
<u>Cost/Savings</u> – potential adoption of new compensation method for jurors by circuits (§494.455) p.14	\$0 or Unknown to (Unknown)	\$0 or Unknown to (Unknown)	\$0 or Unknown to (Unknown)	\$0 or Unknown to (Unknown)
<u>Costs</u> – (§§476.1300 - 476.1313) – increase in potential judgements for violations and payments of claims p.7	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<u>Cost</u> – increased mileage rate for jurors following §33.095 for state employees (§494.455) p.14	(Unknown)	(Unknown)	(Unknown)	(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 could positively impact small businesses that specialize in providing interpreter services. (§476.806)

FISCAL DESCRIPTION

Currently, an interpreter's or translator's fees and expenses in a criminal proceeding are payable by the State from funds appropriated for that purpose. This bill allows such fees and expenses in any civil, juvenile, or criminal proceeding to be paid by the State from the appropriated funds. (§476.806)

This bill specifies that a parent, spouse, child, or personal representative of a person who was convicted of a misdemeanor offense may petition the court to have the record of the offense made confidential in any automated case management system if the person has been deceased for six months or more. The petition must be accompanied by a copy of a death certificate. Before making the record confidential in the system, the court must determine whether any person would be unfairly prejudiced by having the record made confidential in the system. (§476.1025)

This bill amends the Judicial Privacy Act to replace the definition for "judicial officer" with a definition for "court-related officer", which includes various judges, prosecuting and circuit attorneys, circuit clerks, court administrators, deputy circuit clerks, division, clerks, municipal clerks, and juvenile officers and chief deputy juvenile officers.

The definition of "written request" is amended to exclude a court related officer's personal information. The bill specifies that the prohibition on a government agency publicly posting or displaying publicly available content of a court-related officer does not apply to a court-related officer's personal information that is included in any records of court proceedings of this State contained in any statewide court automation system.

This bill amends the offense of tampering with a judicial officer and the offense of tampering with a judicial proceeding to prohibit a person convicted of the offense or offenses from being eligible for parole, probation, or conditional release. (§§476.1300 - 476.1313, 575.095, and 575.260)

Currently, the "Basic Civil Legal Services Fund" is set to expire on December 31, 2025. This bill repeals that expiration date. It also corrects an incorrect reference to a provision in the Missouri Constitution. (§477.650)

This bill requires all circuit courts to establish a treatment court division before August 28, 2027, which can include a mental health treatment court in order to provide an alternative for the judicial system to dispose of cases stemming from a mental health disorder or co-occurring disorder. Additionally, each treatment court division must have a veterans treatment court. (§478.001)

This bill requires the clerk of the Missouri Supreme Court to notify the Revisor of Statutes of any authorized new circuit judgeships, and the Revisor must publish a footnote listing the authorized judgeships and the corresponding judicial circuits. Any new judgeship authorized under the provisions of this bill will be elected at the next general election and every six years thereafter, unless the judgeship is in a circuit where the circuit judges are selected under the Missouri Nonpartisan Court Plan.

The bill authorizes the following additional judgeships: (1) One additional circuit judge in the 24th judicial circuit. The Governor will appoint the judge, who will serve until January 1, 2031, and a judge will be elected in 2030 and every six years thereafter; and (2) One additional circuit judge in the 32nd judicial circuit. The additional judge will be appointed initially by the Governor, and then elected in 2028. (§§478.690 & 478.710)

Currently, a juror shall receive seven cents per mile to and from his or her place of residence and the courthouse. This act modifies the mileage rate of jurors to the mileage rate of state employees, which is currently provided at sixty-five and half cents. Current law also provides that grand or petit jurors in certain counties, including in Clay and Greene, shall not receive compensation for the first two days of service, but shall receive fifty dollars with seven cents per mile for the third and any subsequent days that the juror actually serves. This act provides that the governing body of the county or the City of St. Louis may adopt a system of juror compensation that provides grand or petit jurors to receive no compensation on the first two days of actual service, but receive fifty dollars with the state employee mileage rate for the third and any subsequent days of actual service. (§494.455)

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

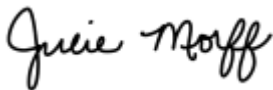
SOURCES OF INFORMATION

In response to similar legislation from the current session (HCS HB 1457), officials 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 State 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
Jackson County Election Board
Kansas City Election Board
Platte County Board of Elections
St. Louis City Board of Elections
St. Louis County Board of Elections
Newton County Health Department
Clay County Auditor
Phelps County Sheriff
Branson Police Department
Kansas City Police Department
St. Louis County Police Department
County Employees’ Retirement Fund
Kansas City Civilian Policar Employees’ Retirement
Kansas City Police Retirement System
Kansas City Public School Retirement System
Public Education Employees’ Retirement System
Sheriff’s Retirement System
Metropolitan St. Louis Sewer District

Morgan County Public Water Supply District #2
Osceola Water/Wastewater District
South River Drainage District
St. Charles County Public Water Supply District #2
Wayne County Public Water Supply District #2
University of Central Missouri
Office of the Lieutenant Governor
Office of the State Auditor
Missouri House of Representatives
Joint Committee on Administrative Rules
Joint Committee on Education
Joint Committee on Public Employee Retirement
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
In response to similar legislation from the current session (HCS HB 1457), officials State Tax
Commission
Mid-Continent Public Library



Julie Morff
Director
April 30, 2025



Jessica Harris
Assistant Director
April 30, 2025