

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1005H.05C
 Bill No.: HCS for SS No. 2 for SB 167
 Subject: Crimes and Punishment; Animals; Children and Minors; Courts, Juvenile;
 Agriculture; Law Enforcement Officers and Agencies
 Type: Original
 Date: May 7, 2025

Bill Summary: This proposal modifies and establishes provisions relating to the protection of certain persons and animals.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
General Revenue*	(Unknown)	(Unknown)	(Unknown)
Total Estimated Net Effect on General Revenue	(Unknown)	(Unknown)	(Unknown)

*Oversight assumes MHP and OSCA could experience increased duties. Oversight assumes the costs would be less than \$250,000.

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

Numbers within parentheses: () indicate costs or losses.

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

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Total Estimated Net Effect on FTE	0	0	0

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

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

*Oversight assumes law enforcement agencies could incur some costs related to the care of confiscated animals.

FISCAL ANALYSIS

ASSUMPTION

§211.436 – Prohibits use of restraints on a child in juvenile court

In response to similar legislation from 2025 (SB 718), officials from the **Office of the State Courts Administrator**, the **Office of the State Public Defender**, the **Phelps County Sheriff's Department**, the **Springfield Police Department**, 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.

§578.018 – Confiscation of Animals

Officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** assume the proposal as outlined in Section 578.018.1 and Section 578.018.5, the Highway Patrol could be liable for costs related to the care of confiscated animals in connection with a criminal investigation. The fiscal impact to the Patrol could range from zero to unknown due to the many variables associated with the proposed legislation, such as the number and type of animals and the length of time for adjudication of a case or cases.

Oversight does not have information to the contrary and therefore, Oversight will reflect an "Unknown" cost to MHP on the fiscal note. For fiscal note purposes, Oversight will assume the unknown fiscal impact will be less than \$250,000.

Officials from the **Office of the State Courts Administrator (OSCA)** assume there may be some impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

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

In response to similar legislation from 2025 (Perfecting HCS HB 489), 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 assumes AGO is provided with core funding to handle a certain amount of activity each year. Oversight assumes AGO could absorb the costs related to this proposal. If multiple bills pass which require additional staffing and duties at substantial costs, AGO could request funding through the appropriation process. Officials from the AGO assume the proposal will have no fiscal impact on their organization.

Officials from the **Missouri Office of Prosecution Services (MOPS)** assume the proposal will have no fiscal impact on their organization. However, in response to a previous version, officials from **MOPS** assumed there is no measurable fiscal impact to MOPS. The enactment of a new crime [578.018.7] creates additional responsibilities for county prosecutors and the circuit attorney which may in turn result in additional costs which are difficult to determine.

Officials from the **University of Missouri** state while difficult to determine, it is possible that the University of Missouri may incur additional liability in an effort to comply with new provisions proposed for inclusion in Section 578.018.

In response to similar legislation from 2025 (Perfected HCS HB 489), officials from the **St. Louis County Police Department** assumed, if passed, this bill would allow for animal control officers or law enforcement officers to apply for animal confiscation warrants, however service of the actual warrant would require the response of a police officer. While the Police Department currently assists the health department with these cases, the animal control officers would no longer be able to solely function without Police involvement.

The increase in man hours, paperwork, and overtime are difficult to estimate. The police officers process, if involved in an animal confiscation case would be as follows:

The officer would have to compile evidence and apply for a warrant (in some situations). After approval, the officer would then have to respond to the location where the animal is being maintained with the health department and animal control to serve the warrant. If the owner of the animal is not on-scene, the officer must locate a resident of the property and serve them in person, which may be impossible. During this process, the officer involved would no longer be able to respond to other calls and additional officers would have to complete the work the missing officer would generally complete, generating overtime costs.

Oversight assumes any confiscated animal care costs, should the animal owner be acquitted, has an inability to pay before the initial disposition hearing, or upon conviction, would be incurred by veterinarians, local government dog pounds, animal shelters, animal rescue facilities, or another third party with existing animal care facilities approved by the court.

In response to similar legislation from 2025 (Perfected HCS HB 489), officials from the **Phelps County Sheriff's Department** 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.

§578.365 – Danny’s Law

In response to a previous version, 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 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 **Department of Corrections (DOC)** state there was only one guilty plea made under this section with a class A misdemeanor penalty in 2024. Therefore, the DOC expects no impact to the department with this change in legislation.

In response to a previous version, officials from the **Office of the State Courts Administrator**, the **Office of the State Public Defender**, the **Phelps County Sheriff’s Department**, 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.

Responses regarding the proposed legislation as a whole

Officials from the **Department of Higher Education and Workforce Development**, the **Department of Social Services**, the **Missouri Department of Agriculture** the **Newton County Health Department**, the **Kansas City Police Department**, and the **University of Central Missouri** 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 city and county health departments, circuit clerks, colleges and universities, and local law enforcement were requested to respond to this proposed legislation but did not. A listing of political subdivisions included in the Missouri Legislative Information System (MOLIS) database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
GENERAL REVENUE			
<u>Cost</u> – MHP (§578.018) Increased duties in the animal confiscation process	(Unknown)	(Unknown)	(Unknown)
<u>Cost</u> – OSCA (§578.018) Increased duties related to the animal confiscation procedures	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
ESTIMATED NET EFFECT ON GENERAL REVENUE	(Unknown)	(Unknown)	(Unknown)

<u>FISCAL IMPACT – Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
LOCAL POLITICAL SUBDIVISIONS			
<u>Revenue</u> - Animal Rescue Facilities (§578.018) Bond or security for animal care costs from the animal owner	Unknown	Unknown	Unknown
<u>Cost</u> - Animal Rescue Facilities (§578.018) Care of animals held until final disposition of charges and acquittal or inability to pay	(Unknown)	(Unknown)	(Unknown)
<u>Cost</u> - Law Enforcement Agencies (§578.018) Increased duties in the animal confiscation process	(Unknown)	(Unknown)	(Unknown)
ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	(Unknown)	(Unknown)	(Unknown)

FISCAL IMPACT – Small Business

Small business animal shelters and veterinary facilities might incur additional costs as a result of this proposal. (§578.018)

FISCAL DESCRIPTION

The proposed legislation modifies and establishes provisions relating to the protection of children and vulnerable persons

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

SOURCES OF INFORMATION

Attorney General's Office
Department of Corrections
Department of Higher Education and Workforce Development
Department of Public Safety - Missouri Highway Patrol
Department of Social Services
Missouri Department of Agriculture
Missouri Office of Prosecution Services
Office of the State Courts Administrator
Office of the State Public Defender
Phelps County Sheriff's Department
Kansas City Police Department
Springfield Police Department
St. Louis County Police Department
University of Missouri
University of Central Missouri
St. Louis County Police Department
Newton County Health Department



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