

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1111S.01I
Bill No.: SB 251
Subject: Crimes and Punishment; Department of Corrections; Prisons and Jails; Probation and Parole
Type: Original
Date: February 24, 2025

Bill Summary: This proposal modifies provisions relating to minimum prison terms.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2040)
General Revenue*	\$0	\$0	\$0	(\$142,588,679)
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0	(\$142,588,679)

*Oversight notes the impact of this legislation is outside the ten-year time frame. DOC estimates the impact following the ten-year time frame could be (\$2,091,994) in FY 2038; (\$90,175,199) in FY 2039; and (\$142,588,679) in FY 2040. DOC estimates the cumulative impact to be an additional 3,079 offenders in prison and 3,079 fewer offenders on community supervision by FY 2040.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2040)
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2040)
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 2040)
General Revenue	0 FTE	0 FTE	0 FTE	(60) FTE
Total Estimated Net Effect on FTE	0 FTE	0 FTE	0 FTE	(60) 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 2040)
Local Government	\$0	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§558.019 – Minimum prison terms

Officials from the **Department of Corrections (DOC)** state this proposal modifies provisions relating to minimum prison terms.

The bill introduces language that would require offenders with prior prison commitments to serve a minimum term of at least 60/90/100%, instead of the current 40/50/80% requirement, of the length of sentences specified in section 558.019. It would also require dangerous felons to serve 100% of any such sentence imposed. The bill also removes language that reduces minimum prison terms for offenders with prior prison commitments who reach the age of 70 while incarcerated on sentences specified in section 558.019 or dangerous felonies.

There were 1,811 offenders admitted to prison during FY 2024 on at least one sentence that was a new court commitment with an associated minimum prison term under section 558.019. The average length of the sentence cycles for these offenders (after taking into account designations of concurrent and consecutive terms) was 16.9 years, with the expected average time to first release from prison being 11.2 years under current legislation and 13.4 years under the proposed legislation.

Given the relatively long length of these sentence cycles, the DOC estimates no impact within the first 12 years. The DOC expects to start to see the impact on offender populations in FY 2038 with an increase in the prison population of approximately 181 offenders. The DOC estimates the cumulative impact to be an additional 3,079 offenders in prison and 3,079 fewer offenders on community supervision by FY 2040.

Change in prison admissions and probation openings with legislation

	FY2033	FY2034	FY2035	FY2036	FY2037	FY2038	FY2039	FY2040	FY2041	FY2042
New Admissions										
Current Law	1,811	1,811	1,811	1,811	1,811	1,811	1,811	1,811	1,811	1,811
After Legislation	1,811	1,811	1,811	1,811	1,811	1,811	1,811	1,811	1,811	1,811
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	0	0	0	0	0	0	0	0	0	0
Probations	0	0	0	0	0	0	0	0	0	0
Cumulative Populations										
Prison						181	1,992	3,079	3,079	3,079
Parole						-181	-1,992	-3,079	-3,079	-3,079
Probation										
Impact										
Prison Population						181	1,992	3,079	3,079	3,079
Field Population						-181	-1,992	-3,079	-3,079	-3,079
Population Change										

The impact of this legislation is outside of the 10-year reporting time frame; therefore, the department will assume no impact from FY 2026 thru FY 2037. The estimated impact following the ten-year time frame could be (\$2,091,994) in FY 2038; (\$90,175,199) in FY 2039; and (\$142,588,679) in FY 2040.

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 **Missouri Department of Transportation**, the **Missouri Office of Prosecution Services**, the **Office of the State Courts Administrator**, and the **Office of the State Public Defender** 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.

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2040)
<u>Savings – DOC (§558.019)</u>				
Personal Service	\$0	\$0	\$0	\$3,230,100
Fringe Benefits	\$0	\$0	\$0	\$2,383,774
Exp. & Equip.	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$454,792</u>
Total Savings - DOC	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$6,068,666</u>
FTE Change - DOC	0 FTE	0 FTE	0 FTE	(60) FTE
<u>Cost – DOC (§558.019)</u>				
Increased incarceration costs	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	(\$148,657,345)
ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>(\$142,588,679)</u>
Estimated Net FTE Change on General Revenue	0 FTE	0 FTE	0 FTE	(60) FTE

<u>FISCAL IMPACT – Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2040)
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

MINIMUM PRISON TERMS (Section 558.019)

This act modifies current minimum prison terms for certain offenses. If an offender has one previous prison commitment, he or she shall serve 60%, rather than 40%, of the sentence. If an offender has two previous prison commitments, he or she shall serve 90%, rather than 50%, of the sentence. If an offender has three or more previous prison commitments, he or she shall serve 100%, rather than 80%, of the sentence.

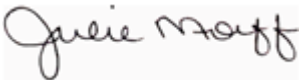
Additionally, if the offender has been found guilty of a dangerous felony, he or she shall serve 100%, rather than 85%, of the sentence.

Finally, an offender serving his or her sentence pursuant to this act shall serve a conditional release or parole term that shall end no earlier than the last day of his or her entire sentence.

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

SOURCES OF INFORMATION

Department of Corrections
Missouri Department of Transportation
Missouri Office of Prosecution Services
Office of the State Courts Administrator
Office of the State Public Defender



Julie Morff
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February 24, 2025



Jessica Harris
Assistant Director
February 24, 2025