

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1116S.01I
Bill No.: SB 143
Subject: Crimes and Punishment; Law Enforcement Officers and Agencies; Courts; Children and Minors; Probation and Parole; Victims of Crime; Attorneys; Cities, Towns, and Villages; Counties; Drugs and Controlled Substances; Animals; Sexual Offenses; Internet and E-Mail; Ambulances and Ambulance Districts; Attorney General; Boards, Commissions, Committees, and Councils; Criminal Procedure; Drunk Driving/Boating; Emergencies; Energy; Dentists; Licenses - Driver's; Department of Health and Senior Services; Prisons and Jails; Department of Corrections; Department of Revenue; Fire Protection; Firearms; Evidence; Probation and Parole
Type: Original
Date: March 24, 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 2035)
General Revenue	More or less than (\$2,987,715)	More or less than (\$1,943,642)	More or less than (\$2,215,801)	More or less than (\$5,999,673)
Total Estimated Net Effect on General Revenue	More or less than (\$2,987,715)	More or less than (\$1,943,642)	More or less than (\$2,215,801)	More or less than (\$5,999,673)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2035)
Anti-Trafficking Fund*	\$0	\$0	\$0	\$0
Chemical Emergency Preparedness Fund (0587)	\$834,508	\$1,001,410	\$1,001,410	\$1,001,410
Treatment Court Resources Fund (0733)*	\$0	\$0	\$0	\$0
Pretrial Witness Protection Fund (0868)	(Unknown)	(Unknown)	(Unknown)	(Unknown)
Highway Funds (0644)	(\$92,423)	(\$110,907)	(\$110,907)	(\$110,907)
Human Trafficking and Sexual Exploitation Fund *	\$0	\$0	\$0	\$0
Crime Victims' Compensation Fund (0681)	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 <u>Other</u> State Funds	More or less than \$992,085	More or less than \$1,140,503	More or less than \$1,140,503	More or less than \$1,140,503

*Revenue and expenses net to zero.

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2035)
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 2035)
General Revenue	6 FTE	6 FTE	7 FTE	3 FTE
Anti-Trafficking Fund	2 FTE	2 FTE	2 FTE	2 FTE
Total Estimated Net Effect on FTE	8 FTE	8 FTE	9 FTE	5 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 2035)
Local Government	More or less than (\$30,808)	More or less than \$1,096,337	More or less than \$1,474,106	More or less than \$2,985,181

FISCAL ANALYSIS

ASSUMPTION

§168.133 – School transportation

Oversight received no responses from school districts related to the fiscal impact of this proposal. Oversight assumes a minimal amount of additional revenue will be collected into the Criminal Records Fund from additional background checks as a result of this proposal and will not reflect it in the fiscal note.

§§190.053, 190.076, 190.098, 190.101, 190.109, 190.112 and 190.166 - Emergency medical services

Officials from the **Department of Health and Senior Services (DHSS)** state Section 190.053.2 of the proposed legislation requires ambulance district board members to complete three hours of continuing education training for each term of office. Training shall be offered by a statewide association or program approved by the State Advisory Council on Emergency Medical Services. This will require the Department of Health and Senior Services (DHSS), Division of Regulation and Licensure's (DRL) Bureau of Emergency Medical Services (BEMS) to verify ambulance district board member training records through the licensure application review process and during inspections.

Section 190.053.3 immediately disqualifies from office any ambulance district board member who does not complete the required training under Section 190.053.2. Should a board member be found non-compliant with this provision, BEMS will be required to provide notice to the district board and other agencies in authority regarding the removal of the ineligible member.

Section 190.076 requires each ambulance district to be audited by an outside Certified Public Accountant (CPA) firm at least every three years. BEMS will verify audit compliance through the licensure application review process and during inspections.

Section 190.098.2 of the proposed legislation defines community paramedic services as those services provided by any entity that employs licensed paramedics certified by the Department of Health and Senior Services as community paramedics for services that are provided in a nonemergent setting, consistent with the education and training of a community paramedic and the supervisory standard approved by the medical director and documented in the entity's patient care plans or protocols.

Section 190.098.3 requires any ambulance service that seeks to provide community paramedic services outside of its service area to have a memorandum of understanding (MOU) with the ambulance service of that area if that ambulance service is already providing those services or shall notify the ambulance services of that area if that ambulance service is not providing community paramedic services. Emergency medical response agencies (EMRA) may provide

community paramedic services in a ground ambulance service's service area. If the ground ambulance service is already providing those services or provides them after the EMRA offers them, then the EMRA and ground ambulance service shall enter into an MOU for the coordination of services.

Currently, 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 certification 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 certification and existing ground ambulances that use community paramedics would have to apply and get a new, separate certification to be renewed every five (5) years. It is assumed there will be less than 10 community paramedic services licenses issued.

Section 190.098.3(4) requires the Department to promulgate rules and regulations for the purpose of certifying community paramedic services entities and the standards necessary to provide such services. Certified entities shall be eligible to provide community paramedic services for five (5) years.

Section 190.101 increases the number of members on the State Advisory Council on Emergency Medical Services from 16 to 23, outlines membership requirements and changes member appointment responsibility from the Governor to the Director of DHSS.

Sections 190.109.6(12) and 190.109.6(13) require BEMS to promulgate rules related to the requirements for a ground ambulance service license including “participation with regional emergency medical services advisory committees” and “ambulance service administrator qualifications.”

Section 190.112 requires licensed ambulance services to identify an individual to DHSS who will serve as the ambulance service administrator responsible for ambulance service operations and staffing. Additionally, the identified administrator is required to complete 40 initial training hours and two hours of continuing education annually related to the operations of an ambulance service. Training shall be offered by a statewide association or program approved by the State Advisory Council on Emergency Medical Services. Individuals serving as an ambulance service administrator as of August 28, 2025, will have until January 1, 2027, to demonstrate compliance with these provisions. This will require BEMS to verify training records through the licensure application review process for the individual administrator and the ambulance service, as well as during inspections of the ambulance service.

Section 190.166.1 allows the Department to refuse to issue, deny renewal of, or suspend an ambulance service license required pursuant to Section 190.109, or take other corrective actions based on the following:

- (1) Determined to be financially insolvent.
- (2) Inadequate personnel to provide basic emergency operations at a level in which one ambulance unit is available twenty-four hours per day, seven days per week, with at least two licensed emergency medical technicians and a reasonable plan and schedule for the services of a second ambulance.
- (3) Requires an inordinate amount of mutual aid from neighboring services (more than ten percent of calls in any given month or more than would be considered prudent to provide an appropriate level of response for the service area).
- (4) Principal manager, board members, or other executives determined to be criminally liable for actions related to the license or service provided.
- (5) License holder or principal manager, board members, or other executives determined by Centers for Medicare and Medicaid Services (CMS) to be ineligible for participation in Medicare.
- (6) License holder or principal manager, board members, or other executives determined by MO HealthNet Division to be ineligible for participation in MO HealthNet.
- (7) Ambulance service administrator failed to meet the required qualifications or failed to complete training required under Section 190.112.
- (8) Three or more board members failed to complete training required under Section 190.053 if the ambulance service is an ambulance district.

As a result, BEMS will be required to investigate ambulance service agency financial records, operations data, number of runs and responses, ambulance vehicle inventory, training records, and determine percentage of calls covered by other agencies giving mutual aid and/or appropriate level of response for a service area. A report will be prepared to determine what action should be taken by the Department.

Section 190.166.2 requires any ambulance service determined to be financially insolvent or its operations insufficient to submit a corrective plan within fifteen days. Said plan must be implemented within thirty days. Corrective plan collection and tracking will be completed by BEMS as part of the investigation required under Section 190.166.1.

Section 190.166.3 of the proposed legislation requires the Department to provide notice of any determination of insolvency or insufficiency of operations of a license holder to other license holders operating in the license holder's vicinity; members of the general assembly who represent the license holder's service area; the governing officials of any county or municipal entity in the license holder's service area; the appropriate regional emergency medical services advisory committee; and the state advisory council on emergency medical services." The BEMS will mail or email a notice to all entities required by this section.

Section 190.166.4 of the proposed legislation requires the Department to, upon taking disciplinary action, immediately engage with other license holders in the affected area and allows the provisional or suspended licensee to enter into an agreement with other license holders to provide services to the affected area. BEMS will track all agreements received due to any disciplinary action.

Should there be a conflict regarding which neighboring agency shall provide coverage during the disciplinary proceedings, Section 190.166.4 allows the Department to request the AHC to appoint a licensed ambulance service to operate that service area on a short-term basis during the disciplinary process. BEMS will track this information to ensure ambulance services are in compliance with any AHC order. Violations of an order will be prepared, and notifications sent to the ambulance districts and the AHC.

Section 190.166.5 states that any license holder who provides assistance to a service area affected by disciplinary action has a right to seek reasonable compensation from the license holder whose license has been suspended. Reasonable compensation may include expenses incurred in actual responses and reasonable expenses to maintain ambulance service. The license holder providing assistance is entitled to an award of costs and reasonable attorney fees in any action to enforce these provisions.

Should the proposed legislation become law, BEMS will offer an educational presentation to ambulance districts that will review the law, the new requirements, and what BEMS will be reviewing during inspections and complaints as a result.

The Department will need one full-time Regulatory Auditor (annual salary of \$59,112) to carry out these provisions outlined in the proposed legislation. This is assumed to be a telecommuter position.

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

§198.022 – Inspections of long-term care facilities

DHSS states Section 198.022.6 of the proposed legislation allows Residential Care Facilities (RCFs) or Assisted Living Facilities (ALFs) to be accredited by a department recognized accrediting entity. RCFs or ALFs that provide the Department documentation from a recognized accrediting entity affirming that the facility is accredited and in good standing, shall not be subject to an annual on-site inspection.

The Department anticipates few RCF and ALF operators will choose accreditation in lieu of licensure due to the accreditation onsite survey and annual fee costs. Most accreditation requires licensure prior to application for accreditation; therefore, Department inspectors will still be required to conduct both initial licensure inspections and complaint investigations. The Department will also have to promulgate rules regarding RCF/ALF accreditation in lieu of licensure and develop a system to monitor ongoing compliance with facility accreditation status.

It is assumed that the Department can absorb the costs of this portion of the 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. Oversight assumes the DHSS has sufficient staff and resources available to absorb what additional duties this proposal may require within current funding levels and will reflect no fiscal impact for this agency.

§210.1505 – Statewide Council Against Adult Trafficking and the Commercial Sexual Exploitation of Children

Officials from the **Attorney General’s Office (AGO)** assume this proposal will 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.

Officials from the **Missouri Senate (SEN)** anticipate a negative fiscal impact to reimburse two senators for travel to Statewide Council Against Adult Trafficking and the Commercial Sexual Exploitation of Children Council meetings.

The SEN assumes meetings will be held in Jefferson City during the interim. The average of the total round trip miles for current sitting senators is 256 miles and the current mileage rate, as set by the Office of Administration is \$0.655 cents per mile. Therefore, the SEN estimates a total cost for senator mileage of approximately \$335 per meeting. 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 Anti-Trafficking Fund, which consists of moneys appropriated by the General Assembly as well as any gifts, donations, grants, and bequests. Moneys in the fund shall be used solely to pay for the position of the executive director of the statewide council and for any other administrative personnel of the statewide council, education and awareness regarding human trafficking, and anti-trafficking efforts throughout 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.

§§217.451 and 221.108 – Telephones in correctional facilities

Officials from the **Department of Corrections (DOC)** state Section 217.451 stipulates no correctional center shall charge an offender a per-minute rate for a domestic phone call that

exceeds \$0.12 per minute. The current phone services contract charges offenders \$0.05 per minute. The Federal Communication Commission capped phone call rates at \$0.06 per minute effective January 1, 2025, under regulation §64.6010. Therefore, this stipulation will have no fiscal impact on the department.

§§221.400, 221.402, 221.405, 221.407 & 221.410 – Regional Jail District

Officials from the **Department of Revenue (DOR)** state that the Daviess/DeKalb Regional Jail District is the only one formed under Section 221.400. It currently assesses a 1/2% sales tax. For FY 24, they collected \$1,511,075. DOR is unaware if any of the surrounding counties are wishing to join this district. DOR assumes that once a new county would pass the sales tax and adopt the required ordinance, they would notify DOR and DOR would get the new county set up. This would require DOR to update its distribution program estimated to cost \$1,832 at the time DOR is notified.

Oversight assumes this proposal changes the sales tax percentage to up to 1%. Since the current Daviess/DeKalb Regional Jail District collects ½% in sales tax revenue, it is possible that the county commission could add the question to increase the sales tax rate to the April 2026 ballot. Oversight is also unaware of any surrounding counties who may want to join the current district. However, should a surrounding county get voter approval and approve an ordinance to join the district, additional revenues could be generated for the Regional Jail District. Oversight notes that not only is there an emergency clause for this proposal, but the current expiration date of September 30, 2028, is being removed from this proposal. Oversight assumes should the proposal pass, the current collection of sales tax for the Regional Jail District will continue into FY29 and beyond. Oversight also assumes if an additional sales tax is passed by the voters, the 1st day it would be effective September of 2026, assuming it is on the ballot April 2026, and the collection of sales tax would be in October of 2026. Therefore, Oversight will reflect a \$0 (no additional increase to sales tax approved by voters) or estimated revenues received (if approved by the voters) by the Regional Jail District to be unknown that could exceed the current DOR amount, as well as a 1% administration fee collected by DOR.

Oversight assumes this proposal repeals the sunset provision. Therefore, Oversight will show the continued cost of the existing sales tax beginning in FY 2029.

DOR states §221.402 adds clarifying language that the jail district may use their sales tax to “equip” and “maintain” their jail facilities and will have no fiscal impact to the proposal. DOR also states §221.407 adds clean-up (simplifying) language that the sales tax allowed for a jail district could either be 1/8th, 1/4th, 3/8th or ½ of one percent. This proposal would add language saying the tax can be “up to 1%” and would have no fiscal impact to the proposal.

This proposal has an emergency clause that would allow counties wanting to join an existing jail district to place before the voters the question to accept the jail tax as early as the November 2025 general election.

§287.243 – Line of duty compensation awards

Officials from the **Department of Labor and Industrial Relations (DOLIR)** state no direct fiscal impact to the Division of Workers' Compensation; however, an increased amount of General Revenue transfer authority will likely be necessary to cover the increased compensation amount and estimated increase in claims filed. The expected increase is between \$200,000 and \$400,000 including the cost-of-living increase based on the consumer price index.

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

§292.606 – Fees paid to the Missouri Emergency Response Commission

Officials from the **Department of Public Safety – 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 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 allows for the collection of data and fees. In fiscal year 2023, the amount collected was approximately \$1,001,409.95 with \$598,495.25 of this fund being redistributed to the locals, \$92,076.07 distributed to the Missouri Division of Fire Safety for hazardous materials training and the remaining \$230,190.43 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.

Since HB 1870 was not reauthorized, the Local Emergency Planning Committees and/or Districts will lose approximately \$650,000 in eligible funds. In many communities, these were the only funds available to remain compliant with federal law and most preparedness activities will no longer continue. Approximately \$80,000 in training money to the Missouri Division of Fire Safety will also be lost, and the match for the \$400,000 dollars for the Missouri Department of Transportation grant will not be met. Without this grant, approximately 1,000 first responders will not receive any hazmat preparedness or response training.

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.

§301.260 – License Plates for Political Subdivision Motor Vehicles

DOR states §301.260.2(2) states prior to the operation of a vehicle, the political subdivision owning the vehicle must send the desired plate configurations and correlating VINs to the Department. The Department must approve the plate configurations prior to them being displayed on any political subdivision owned vehicle.

Section D states the repeal and reenactment of section 301.260 of this act shall take effect as soon as technologically possible following the development and maintenance of a modernized, integrated system for the titling of vehicles, issuance and renewal of vehicle registrations, issuance and renewal of driver's licenses and identification cards, and perfection and release of liens and encumbrances on vehicles, to be funded by the motor vehicle administration technology fund as created in section 301.558. Following the development of the system, the director of the department of revenue shall notify the governor, the secretary of state, and the revisor of statutes, and shall implement the provisions of section 301.260 of this act.

DOR assumes the following regarding this proposal:

Administrative Impact

To implement the proposed legislation the department, at a minimum, will be required to:

- Acquire one (1) temporary FTE;
- Obtain equipment for temporary FTE;
- Create a form for requesting plate configuration approval;
- Create procedures and correspondence;
- Update Department website;
- Send communications to contracted license offices and applicable political subdivisions; and
- Train internal office staff.

For the first year of implementing this process, the Department will require the addition of one temporary FTE for the initial influx of political subdivisions requesting plate configuration approvals. This employee will be responsible for recording and maintaining the political subdivision provided VIN(s) and associated approved plates. The Department will issue letters to the requesting subdivision advising of the approval or denial of the desired plate configuration(s). For the purposes of this fiscal note, the FTE will be reflected for the 3 fiscal years shown.

The Department has conferred with the Department of Corrections (DOC) to determine the number of political subdivisions they currently serve. Due to the urgency of this fiscal note response, an exact number of plates issued per entity cannot be provided at this time. DOC has

stated that they currently serve 1,791 political subdivisions, and DOR can conclude that each subdivision has multiple vehicles. However, it is anticipated that the number of plates issued to political subdivisions which fall subject to the requirements of 301.260 will increase. This is due to the political subdivisions who currently exercise the right to utilize local sign shops for the creation of their desired plate(s).

FY2026 – Motor Vehicle Bureau Additional FTE Cost:

Associate Research Data Analyst \$46,446
Equipment costs for laptops and accessories \$664
Additional monitors needed 2 @ \$95 each
Cubicle, chair, calculator \$8,438 each
Phone \$525 each
Headset \$125 each

Total = \$56,388

Fusion Impact

Testing 250 hours x \$250/hr = \$62,500
Development 250 hours x \$250/hr = \$62,500
Total = \$125,000

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

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

§§320.500, 320.502, 320.504, 320.506, 320.508, 320.510, 320.512, 320.514, 320.516, 320.518, 320.520, 320.522, 320.524, 320.526, and 320.528 – Firefighters

Officials from the **City of Kansas City** assume the "Firefighters Procedural Bill of Rights Act" is introduced, covering sections 320.500 to 320.528, has a negative fiscal impact of an indeterminate amount.

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

	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 the proposal, Section 320.528 2. denotes: “It shall be a requirement that any employer shall provide legal defense for any firefighter who, while acting in the normal course of his or her duties, is named as a defendant in civil litigation relating to such duties.”

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 potentially incur additional expenditures when defending their employees in various lawsuits. Therefore, Oversight will note unknown direct impact to the local political governments beginning FY 2026.

§386.572 - Civil penalty for Violating Federally Mandated Natural Gas Safety Standards

Oversight assumes this proposal may increase the penalty for any person who violates federally mandated natural gas safety standards. According to the Department of Commerce and Insurance - Public Service Commission, there are typically 1-2 incidents each year. Secured penalties from these cases are distributed annually to the schools in Missouri.

Oversight assumes this proposal may result in an increase in revenue (depending upon the penalties assessed) and will reflect a potential unknown additional income to local school districts.

Oversight notes current maximums (Section 386.572) are not greater than \$15,000 for each violation with a maximum not to exceed \$150,000 for continuing violation. This proposal changes that to an amount not to exceed 49 CFR Part 190.223(a), which states:

§ 190.223 Maximum penalties.

Any person found to have violated a provision of [49 U.S.C. 60101](#), et seq., or any regulation in [49 CFR parts 190 through 199](#), or order issued pursuant to [49 U.S.C. 60101](#), et seq. or [49 CFR part 190](#), is subject to an administrative civil penalty not to exceed \$266,015 for each violation for each day the violation continues, with a maximum administrative civil penalty not to exceed \$2,660,135 for any related series of violations.

§454.1050 - "Bentley and Mason's Law" – Adds child maintenance provisions for certain children

DOC states this section stipulates that the court shall order a defendant convicted of the offense of driving while intoxicated to pay restitution for a child whose parent or guardian died as a result of such offense. The order of restitution under this section shall require the defendant to make restitution directly to the person or agency that will accept and forward restitution payments to the victim or other person eligible for restitution under this section; or deliver payment for restitution to the division of probation and parole or to the department of corrections for transfer to the victim or person or state as appropriate.

Currently, the division of probation and parole does not accept payment for any form of restitution. The Department of Corrections collects restitution from incarcerated individuals when it receives an order from the prosecuting attorney and then remits payment to the prosecuting attorney in accordance with RSMo 559.105.

There would be an **unknown fiscal impact** to update DOC's offender management system in order to send payments directly to individual victims. It is unclear the amount of additional staff that would be necessary to process and remit these additional payments. It is also unclear if the Department of Corrections would be required to continue receiving and issuing payments to the victims after the defendant has been released from the department's supervision.

Oversight does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by DOC as an unknown fiscal impact, potentially reaching the \$250,000 threshold annually for additional staff, resources and systems updates.

§455.098 – Lifetime Protection Orders

Officials from the **Office of the State Courts Administrator (OSCA)** state section 455.098 would have a technological fiscal impact that would be at least \$750,000 to \$1,000,000. Any significant changes will be reflected in future budget requests.

Oversight inquired OSCA about their response in response to similar legislation from 2024 (SB 869). OSCA stated for the protection order to be extended to the lifetime of the respondent, the Statewide Case Management System (SMC) might require modifications and the interface with the Missouri Highway Patrol might require modifications. The uncertainty of the technical requirements/impact of this proposed legislation is what is driving the estimated amount of the fiscal impact. If more information can be provided regarding how the lifetime protection order process will be implemented, the estimated fiscal impact can be revisited.

§478.001 – Mental Health Courts

OSCA states the potential budgetary impact could initially be \$600,000 and continue to increase due to the growth in mental health courts. There may be additional impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

Oversight assumes this proposal establishes mental health courts within the treatment court division and specifies that a mental health court may be established by any circuit court.

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, 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.

DOC states section 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 is unable to project a savings amount and assumes an unknown fiscal 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. 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.

§490.692 – Affidavits related to business records

DOC states this section makes the falsification of an affidavit related to business records subject to criminal penalties pursuant to section 575.040. In that section, perjury is punishable as a class E felony, a class D felony, a class B felony, or a class A felony, depending on the circumstances.

Given the seriousness of class A felony offenses and that the introduction of a completely new class A felony offense is a rare event, the department assumes the admission of one person per year to prison following the passage of the legislative proposal.

Offenders committed to prison with a class A felony have an average sentence length of 17.1 years and serve, on average, 12.3 years in prison prior to first release. The department assumes one third of the remaining sentence length will be served in prison as a parole return, and the rest of the sentence will be served on supervision in the community.

The sentence lengths associated with these offenses pushes the estimate of total cumulative impact on the department beyond the 10-year time frame of this fiscal note. However, the estimated impact by FY 2035 is 10 additional offenders 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	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	0	0	0	0	0	0	0	0	0	0
Change (After Legislation - Current Law)										
Admissions	1	1	1	1	1	1	1	1	1	1
Probations										
Cumulative Populations										
Prison	1	2	3	4	5	6	7	8	9	10
Parole										
Probation										
Impact										
Prison Population	1	2	3	4	5	6	7	8	9	10
Field Population										
Population Change	1	2	3	4	5	6	7	8	9	10

Given the seriousness of class B felony offenses and that the introduction of a completely new class B felony offense is a rare event, the department assumes the admission of one person per year to prison following the passage of the legislative proposal.

Offenders committed to prison with a class B felony as their most serious sentence, have an average sentence length of 9.0 years and served, on average, 3.4 years in prison prior to first release. The department assumes one third of the remaining sentence length will be served in prison as a parole return, and the rest of the sentence will be served on supervision in the community.

Change in prison admissions and probation openings with legislation-Class B Felony

	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	0	0	0	0	0	0	0	0	0	0
Change (After Legislation - Current Law)										
Admissions	1	1	1	1	1	1	1	1	1	1
Probations										
Cumulative Populations										
Prison	1	2	3	4	5	5	5	5	5	5
Parole						1	2	3	4	4
Probation										
Impact										
Prison Population	1	2	3	4	5	5	5	5	5	5
Field Population						1	2	3	4	4
Population Change	1	2	3	4	5	6	7	8	9	9

For each new nonviolent class D felony, the department estimates three people could be sentenced to prison and five to probation. The average sentence for a nonviolent class D felony offense is 5 years, of which 2.8 years will be served in prison with 1.7 years to first release. The remaining 2.2 years will be on parole. Probation sentences will be 3 years.

Change in prison admissions and probation openings with legislation-Class D 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	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	5	5	5	5	5	5	5	5	5	5
Change (After Legislation - Current Law)										
Admissions	3	3	3	3	3	3	3	3	3	3
Probations	5	5	5	5	5	5	5	5	5	5
Cumulative Populations										
Prison	3	6	8	8	8	8	8	8	8	8
Parole			1	4	7	7	7	7	7	7
Probation	5	10	15	15	15	15	15	15	15	15
Impact										
Prison Population	3	6	8	8	8	8	8	8	8	8
Field Population	5	10	16	19	22	22	22	22	22	22
Population Change	8	16	24	27	30	30	30	30	30	30

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.

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							

§491.641 – Pretrial witness protection programs

Officials from the **Department of Public Safety – Office of the Director (DPS)** state 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.

§550.320 – Costs in criminal cases

DOC states the department shall establish, by rule, the process for submission of county reimbursement claims. The requirement to promulgate rules could delay receipt in claims to county submissions while the rule promulgation is underway.

§556.061 – Endangering the welfare of a child

DOC states section 566.061 is expanded to include the offense of endangering the welfare of a child in the first degree under the definition of “dangerous felony”. This introduces the requirement that any new court commitment or probation revocation to prison on a sentence under section 568.045 will serve at least 85% of the term of those sentences in prison prior to release.

There were 101 new court commitments and 54 probation revocations to prison under section 568.045 in FY 2024. The average length of the sentence cycles for these offenders (after taking into account designations of concurrent and consecutive terms) was 11.1 years, with the expected average time to first release from prison being 4.6 years under current legislation and 7.3 years under the proposed legislation. The cumulative estimated impact is an additional 295 people in prison and 295 fewer people on community supervision by FY 2034.

Change in prison admissions and probation openings with legislation

	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032	FY2033	FY2034	FY2035
New Admissions										
Current Law	155	155	155	155	155	155	155	155	155	155
After Legislation	155	155	155	155	155	155	155	155	155	155
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							47	202	295	295
Parole							-47	-202	-295	-295
Probation										
Impact										
Prison Population							47	202	295	295
Field Population							-47	-202	-295	-295
Population Change										

§557.520 – DWI Diversion Program

DOR assumes the following:

Administrative Impact

Extensive programming to the current Missouri driver license system, internally referred to as FUSION, would be required to enter court ordered diversion information received from the prosecuting or circuit attorney and notifying the program participant of their compliance requirements through system generated notices.

This proposed language is requiring the department to be notified of violations from the ignition interlock device for program participants. The department does not currently receive or maintain a record of violations. Currently, the department requires the approved Missouri manufacturers to track and maintain this data and only certify a driver once they have successfully completed the required monitoring time-period. These legislative changes would require the department to track and interpret this data specifically related to this diversion program. There are currently six (6) approved manufacturers in Missouri. Multiple new electronic file exchanges to each manufacturer would need to be developed to exchange data daily between the department and each manufacturer. This would require an additional file reporting violations to be developed and electronically exchanged for each approved manufacturer. Multiple reports would need to be generated to ensure the integrity of the data and meet the current department auditing processes.

Any defendant who is found guilty of any intoxicated-related traffic offense and who has previously utilized the DWI diversion program, the department will evaluate the conviction as a second offense. This would cause the point value related to the conviction to increase from eight (8) points to twelve (12) points and add an ignition interlock device (IID) requirement for

reinstatement. This also would require changes made to the five (5) and ten (10) year denial evaluation routine.

In FY24, the department received 37,647 DWI reports making the potential for offenders enrolled into this diversion program to be extensive. If 50% of offenders were accepted into this new program, the department would receive approximately 18,824 court orders notifying enrollment. They would require a new team of personnel to receive these enrollments, track and process the compliance paperwork, manage the vendor relationships with IID changes, and develop/implement a continuous monitoring process for any device violations and court actions for program participants.

A customer service representative can process 224 court-ordered documents per day. The department anticipates receiving approximately 59 each day, which would require one additional staff member for processing.

Associate Customer Service Rep. (\$2,917 month)
FY26 = \$29,170 (10 months)
FY27 = \$35,004
FY28 = \$35,004

In addition to a processing FTE, the department anticipates the need for an additional FTE for call center inquiries.

Customer Service Representative – Zone 3 (\$3,536 month)
FY26 = \$35,360 (10 months)
FY27 = \$42,432
FY28 = \$42,432

The department estimates a need for at least one (1) FTE to oversee the implementation and management of this new program. This position would require a more robust skill set including knowledge of court and administrative process, customer and vendor relationship management, and quality assurance tracking and reporting.

Customer Service Rep. (\$3,150 month)
FY26 = \$31,500 (10 months)
FY27 = \$37,800
FY28 = \$37,800

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

- Complete business requirements and design documents to modify the Missouri driver license system (FUSION)
- Complete programming and user acceptance testing for the new diversion program for driving privileges, IID violation reporting, tracking of the violations, dismissed charges of the program, criminal cases imposed and their penalties on the drivers

- Testing with the ignition interlock manufacturers of the new file exchanges
- FUSION generated notices
- Conviction routine evaluation
- Update policies, procedures, reports, forms, and the Department website
- Update Code of Regulation
- Training for employees

FY 2026 – Driver License Bureau (testing of forms and website updates)

Research/Data Analyst 1300 hrs. @ \$30.19 per hr. = \$39,247

Research/Data Assistant 1300 hrs. @ \$20.25 per hr. = \$26,325

Administrative Manager 1000 hrs. @ \$32.77 per hr. = \$32,770

Total = \$98,342

FY 2026 – Strategy and Communications Office (forms and website updates)

Associate Research/Data Analyst 336 hrs. @ \$24.19 per hr. = \$ 8,128

FY 2025 – Motor Vehicle and Driver Licensing Integrated System Vendor

Implementation Consultant 600 hrs. @ \$225 per hr. = \$135,000

Total= \$241,470

Revenue Impact

Previous fiscal note responses did not include the potential for a loss in reinstatement fees collected by the department. After further review, the department may see a loss in revenue generated due to not receiving first-time DWI convictions, resulting in an action that would require a reinstatement fee to be paid.

In FY22 the department generated 3,222 point suspensions for non CDL first time alcohol convictions.

In FY23 the department generated 3,299 point suspensions for no CDL first time alcohol convictions.

In FY24 the department generated 3,286 point suspensions for no CDL first time alcohol convictions.

The reinstatement fee for a first-time alcohol conviction point suspension is \$45.00. Reinstatement fees are distributed 75% highways, 15% Counties, and 10% Cities.

FY2026

\$147,870 Reinstatement fees for 3,286 point suspension actions

/ 12 Number of months in a year

\$ 12,323 Decrease in reinstatement fees collected monthly
x 10 Number of months in first year after bill passage
\$123,230 Decrease in reinstatement fees collected in first year of bill passage

FY2027

\$147,870 Reinstatement fees for 3,286 point suspension actions

Estimated potential decrease in reinstatement fees collected annually = \$147,870

Fees collected are distributed 75% Highway Fund ($75\% \times \$147,870 = \$110,907$), 15% Cities ($15\% \times \$147,870 = \$22,182$), and 10% Counties ($10\% \times \$147,870 = \$14,787$).

It is unknown how many people will be enrolled in this DWI Diversion program. For the purposes of the revenue impact estimate, 100% enrollment is being used to calculate the loss in highway funds.

Oversight notes §557.520.13 requires the person in the program to pay a fee that is based on a discounted schedule for offenders with income at or below 150% of the federal poverty level. Oversight will assume the fee is paid to the ignition interlock device producer and not to the state. Oversight also notes DOR's response includes that the proposal duplicates another program located in the State Code of Regulations 7, CSR 60-2.

§558.041 – Good time credit

DOC states this section modifies legislation that awards credit for days spent in confinement to offenders who meet specified conditions while serving time in prison. In doing so, the bill also requires the department to adopt rules that specify the programs or activities for which credit may be earned, along with the criteria for awarding and withdrawing credit, such as awarding credits to offenders who follow institutional rules, participate in work programs, and successfully complete rehabilitative programs and other related activities while incarcerated. Offenders sentenced to death and offenders sentenced to life without probation or parole are not eligible for credit.

Currently, the department does not have an automated system that could track and calculate the good-time credits that are described in the legislation. At this time, the department is unsure if an automated system can be created because of the different criteria it takes to calculate good time credit. This is a labor-intensive calculation done by hand by our Records Officer staff. It is unknown to the department how many additional staff may be needed in order to comply with the legislation.

As such, the department is unable to project the impact to the prison population. However, it is assumed the legislation would decrease the number of individuals incarcerated.

Oversight does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect a potential cost for the IT system development that could occur in FY 2026 or a potential unknown cost for FTE to handle the calculations. Additionally, as this new program may decrease populations for DOC, Oversight will reflect a potential savings (\$0 or Unknown) in FY 2027 and FY 2028. Oversight notes, in response to other legislation this year, DOC has used a per-inmate cost of \$10,485 to the General Revenue Fund per year.

§559.125 – Privileged information

DOC states this section stipulates information and data obtained by a probation and parole officer is privileged information not receivable in any court unless for lawful criminal matters. It is unknown how many will motion to file subpoenas and court orders that the DOC will receive for the disclosure of probation and parole information, as well as appearing in court on those motions, due to the modified provisions relating to certain privileged information. Therefore, the department anticipates a \$0 to (Unknown) cost.

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

§565.240 – Unlawful posting of information

DOC states this section modifies penalties for the offense of unlawful posting of certain information over the internet as described in subdivision 1 of subsection 1 of section 565.240 and creates a new penalty for the offense as described in subdivision 2 of subsection 1 of section 565.240. Penalties for the offense in subdivision 1 are changed from a class C misdemeanor to a class E felony, from a class E felony to a class D felony, and from a class D felony to a class C felony. The penalty for the offense in subdivision 2 is a new class E felony.

There were no new misdemeanor convictions or new felony court commitments or new felony probation cases under section 565.240 in FY 2024. Therefore, the department estimates no impact from the changes to penalties associated with the offense in subdivision 1.

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.

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							

§§566.151 and 567.030 – Criminal offenses involving a child

DOC states section 566.151 changes the age of the victim for enticement of a child 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 is an unknown cost.

Section 567.030 changes the age of the victim in patronizing prostitution from less than eighteen years of age but older than fourteen to older than fifteen years of age. The bill changes the existing class D felony to a class B felony.

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, they 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

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.

§568.045 – Endangering the welfare of a child

DOC states Section 568.045 is expanded to add the involvement of fentanyl or carfentanil in an offense of endangering the welfare of a child in the first degree. The penalty for this offense is considered as a new class B felony without the possibility of probation and a minimum prison term requirement of 85% of the length the sentence.

Given the seriousness of class B felony offenses and that the introduction of a completely new class B felony offense is a rare event, the department assumes the admission of one person per year to prison following the passage of the legislative proposal.

Offenders committed to prison with a class B felony as their most serious sentence, have an average sentence length of 9.0 years.

Change in prison admissions and probation openings with legislation-Class B Felony

	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	0	0	0	0	0	0	0	0	0	0
Change (After Legislation - Current Law)										
Admissions	1	1	1	1	1	1	1	1	1	1
Probations										
Cumulative Populations										
Prison	1	2	3	4	5	6	7	8	8	8
Parole									1	1
Probation										
Impact										
Prison Population	1	2	3	4	5	6	7	8	8	8
Field Population									1	1
Population Change	1	2	3	4	5	6	7	8	9	9

§569.088 – Trespass by an illegal alien

DOC states Section 569.088 is created, which delineates the definition of the offense of trespass by an illegal alien. The associated penalty is a class E felony when the other offense committed under subsection one is an infraction or violation. The associated penalty is a class C felony when the other offense committed under subsection one is misdemeanor or 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 C and 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 could be served in prison with 1.4 years to first release. The remaining 1.3 years could be on parole. Probation sentences could be 3 years.

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							

For each new class C felony, the department estimates four people could be sentenced to prison and six to probation. The average sentence for a class C felony offense is 6.9 years, of which 3.7 years could be served in prison with 2.1 years to first release. The remaining 3.2 years could be on parole. Probation sentences could be 3 years.

Change in prison admissions and probation openings with legislation-Class C Felony

	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	4	4	4	4	4	4	4	4	4	4
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	4	4	4	4	4	4	4	4	4	4
Probations	6	6	6	6	6	6	6	6	6	6
Cumulative Populations										
Prison	4	8	12	15	15	15	15	15	15	15
Parole				1	5	9	13	13	13	13
Probation	6	12	18	18	18	18	18	18	18	18
Impact										
Prison Population	4	8	12	15	15	15	15	15	15	15
Field Population	6	12	18	19	23	27	31	31	31	31
Population Change	10	20	30	34	38	42	46	46	46	46

§570.036 – Organized retail theft

DOC states Section 570.036 is created, including the definition of the offense of organized retail theft. The penalty is a class C felony if the aggregated value of the property or services involved in all thefts committed in this state during a period of one hundred twenty days is no less than one thousand five hundred dollars and no more than ten thousand dollars. The penalty is a class

B felony if the aggregated value of the property or services involved in all thefts committed in this state during a period of one hundred twenty days is more than ten thousand dollars.

For each new class C felony, the department estimates four people could be sentenced to prison and six to probation. The average sentence for a class C felony offense is 6.9 years, of which 3.7 years will be served in prison with 2.1 years to first release. The remaining 3.2 years will be on parole. Probation sentences will be 3 years.

Change in prison admissions and probation openings with legislation-Class C Felony

	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	4	4	4	4	4	4	4	4	4	4
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	4	4	4	4	4	4	4	4	4	4
Probations	6	6	6	6	6	6	6	6	6	6
Cumulative Populations										
Prison	4	8	12	15	15	15	15	15	15	15
Parole	0	0	0	1	5	9	13	13	13	13
Probation	6	12	18	18	18	18	18	18	18	18
Impact										
Prison Population	4	8	12	15	15	15	15	15	15	15
Field Population	6	12	18	19	23	27	31	31	31	31
Population Change	10	20	30	34	38	42	46	46	46	46

Given the seriousness of class B felony offenses and that the introduction of a completely new class B felony offense is a rare event, the department assumes the admission of one person per year to prison following the passage of the legislative proposal.

Offenders committed to prison with a class B felony as their most serious sentence, have an average sentence length of 9.0 years and served, on average, 3.4 years in prison prior to first release. The department assumes one third of the remaining sentence length will be served in prison as a parole return, and the rest of the sentence will be served on supervision in the community.

Change in prison admissions and probation openings with legislation-Class B Felony

	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	0	0	0	0	0	0	0	0	0	0
Change (After Legislation - Current Law)										
Admissions	1	1	1	1	1	1	1	1	1	1
Probations										
Cumulative Populations										
Prison	1	2	3	4	5	5	5	5	5	5
Parole						1	2	3	4	4
Probation										
Impact										
Prison Population	1	2	3	4	5	5	5	5	5	5
Field Population						1	2	3	4	4
Population Change	1	2	3	4	5	6	7	8	9	9

§575.150 – Arrests, stops, and detentions

DOC states Section 575.150 the offense of resisting arrest or detention is expanded to include an escape or attempts to escape while being held in custody after a stop, detention, or arrest has been made. The penalty for the offense of resisting arrest or detention is also lowered from a class E felony to a class A misdemeanor, unless it was for a felony, in which case it remains a class E felony, or if it was committed by means of a deadly weapon or by holding a hostage, in which case it is a class A felony.

The expansion in subsection (3) of the offense of resisting arrest or detention carries a penalty of a misdemeanor A. As misdemeanors fall outside the purview of DOC, there is no impact to DOC for the offense resulting in the class A misdemeanor.

The offense resulting in a class A felony would be considered a new crime. As there is little direct data on which to base an estimate, the department estimates an impact comparable to the creation of a new class A felony.

Given the seriousness of class A felony offenses and that the introduction of a completely new class A felony offense is a rare event, the department assumes the admission of one person per year to prison following the passage of the legislative proposal.

Offenders committed to prison with a class A felony have an average sentence length of 17.1 years and serve, on average, 12.3 years in prison prior to first release. The department assumes one third of the remaining sentence length will be served in prison as a parole return, and the rest of the sentence will be served on supervision in the community.

The sentence lengths associated with these offenses pushes the estimate of total cumulative impact on the department beyond the 10-year time frame of this fiscal note. However, the estimated impact by FY 2035 is 10 additional offenders 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	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	0	0	0	0	0	0	0	0	0	0
Change (After Legislation - Current Law)										
Admissions	1	1	1	1	1	1	1	1	1	1
Probations										
Cumulative Populations										
Prison	1	2	3	4	5	6	7	8	9	10
Parole										
Probation										
Impact										
Prison Population	1	2	3	4	5	6	7	8	9	10
Field Population										
Population Change	1	2	3	4	5	6	7	8	9	10

§575.205 – Electronic monitoring equipment

DOC states Section 575.205 is modified to include failing to charge or otherwise attempting to disable an electronic monitoring device in the list of actions considered as an offense of tampering with electronic monitoring equipment. This creates a new class A misdemeanor offense if the offense for which the person was placed on electronic monitoring was a misdemeanor. Otherwise, it is a class E felony. Since misdemeanors fall outside the purview of DOC, there is no impact to DOC for the offense resulting in the class A misdemeanor.

The offense resulting in a class E felony would be considered a new crime. As there is little direct data on which to base an estimate, the department estimates an impact comparable to the creation of a new 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 could be served in prison with 1.4 years to first release. The remaining 1.3 years could be on parole. Probation sentences could 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							

Combined Estimated Impact for DOC

The combined cumulative estimated impact on the department is 381 more offenders in prison and 174 offenders on field supervision by FY 2035.

Change in prison admissions and probation openings with legislation

	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032	FY2033	FY2034	FY2035
New Admissions										
Current Law	156	156	156	156	156	156	156	156	156	156
After Legislation	176	176	176	176	176	176	176	176	176	176
Probation										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	25	25	25	25	25	25	25	25	25	25
Change (After Legislation - Current Law)										
Admissions	20	20	20	20	20	20	20	20	20	20
Probations	25	25	25	25	25	25	25	25	25	25
Cumulative Populations										
Prison	20	40	55	66	71	75	126	284	379	381
Parole	0	0	5	10	21	30	-7	-160	-249	-249
Probation	25	50	75	75	75	75	75	75	75	75
Impact										
Prison Population	20	40	55	66	71	75	126	284	379	381
Field Population	25	50	80	85	96	105	68	-85	-174	-174
Population Change	45	90	135	151	167	180	193	199	205	207

	# 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	20	(\$10,485)	(\$176,497)	0	\$0	25	(\$176,497)
Year 2	40	(\$10,485)	(\$427,788)	0	\$0	50	(\$427,788)
Year 3	55	(\$10,485)	(\$599,972)	1	(\$95,106)	80	(\$695,078)
Year 4	66	(\$10,485)	(\$734,366)	1	(\$87,602)	85	(\$821,968)
Year 5	71	(\$10,485)	(\$805,800)	1	(\$88,533)	96	(\$894,833)
Year 6	75	(\$10,485)	(\$868,221)	2	(\$188,161)	105	(\$1,056,382)
Year 7	126	(\$10,485)	(\$1,487,783)	1	(\$90,430)	68	(\$1,578,213)
Year 8	284	(\$10,485)	(\$3,420,484)	(1)	\$91,395	(85)	(\$3,329,089)
Year 9	379	(\$10,485)	(\$4,655,953)	(3)	\$277,110	(174)	(\$4,378,843)
Year 10	381	(\$10,485)	(\$4,774,133)	(3)	\$280,072	(174)	(\$4,494,062)

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.

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.

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

§§579.065 and 579.068 – Trafficking drugs

DOC states Section 579.065 changes the minimum amount of fentanyl from ten to three but less than fourteen milligrams, and any amount of carfentanil, a class B felony. It changes the minimum amount of fentanyl from twenty to fourteen milligrams, and more than five hundredths of a milligram of carfentanil, a class A felony.

Section 579.068 changes the minimum amount of fentanyl from ten to three but less than fourteen milligrams, and any amount of carfentanil, a class C felony. It changes the minimum amount of fentanyl from twenty to fourteen milligrams, and more than five hundredths of a milligram of carfentanil, a class B felony.

Section 579.065 - In FY 2024, the department totaled 16 new prison admissions and 19 new probation cases for sentences of trafficking drugs in the first degree.

Section 579.068 - 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 impact for fiscal note purposes.

§589.700 – Human trafficking offenses

Oversight notes the provisions of this bill state in addition to any fine imposed for a violation of section 566.203, 566.206, 566.209, 566.210, 566.211, or 566.215, the court shall enter a judgment of restitution payable to the Human Trafficking and Sexual Exploitation Fund established under section 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 2019 – 2023:

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
§566.203	0	0	0	0	0
§566.206	0	0	0	0	0
§566.209	1	0	0	0	1
§566.210	0	0	0	1	0
§566.211	3	1	1	2	3
§566.215	0	0	0	0	0

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.

§595.045 – Crime Victims’ Compensation Fund

DPS states 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.

DOC states Section 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.

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

DOR states that 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 and B felonies, a \$46 fee is due upon a plea of guilty for class C and 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 forwards 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.

§595.325 – Missing and Murdered African American Women Task Force

DPS states one (1) Program Specialist is needed to provide support to the task force.

Oversight does not have any information to the contrary and will present costs as provided by DPS. For fiscal note purposes, Oversight assumes the task force will be extended until December 31, 2029.

SEN anticipates a negative fiscal impact to reimburse two senators for travel to the Missing and Murdered African American Women Task Force meetings. It is assumed meetings will be held in Jefferson City during the interim. It is further assumed it will cost approximately \$335 per meeting. 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.

Responses regarding the proposed legislation as a whole

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.

Officials from the **Office of Administration - Budget and Planning (B&P)** state this bill as a whole expands or creates new offenses. To the extent that any related fines are deposited into the state treasury, this proposal could increase total state revenue by an unknown amount.

Officials from the **Missouri Office of Prosecution Services (MOPS)** assume the proposal will have no measurable fiscal impact on MOPS. The creation of additional responsibilities [452.1106.3] for county prosecutors and the circuit attorney may, in turn, result in additional costs, which are difficult to determine.

OSCA states there may be some impact to sections 211.072, 320.524, 452.1114, 452.1118, 454.1050, 491.075, 492.304, 556.061, 557.520, 558.041, 565.088, 565.240, 567.030, 568.045, 569.088, 570.036, 575.150, 575.205 and 595.325 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.

Officials from the **Missouri House of Representatives (MHR)** assume the House will absorb any reasonable expenses of our members serving on any council or task force. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect no fiscal impact for this agency.

Officials from the **University of Missouri Health Care (MUHC)** have reviewed the proposed legislation and determined that as written it should not create expenses in excess of \$100,000 annually.

Oversight assumes the costs incurred by the MUHC related to this proposal can be absorbed within current resource levels.

Officials from **Office of Administration - Administrative Hearing Commission**, the **Department of Commerce and Insurance**, the **Department of Elementary and Secondary Education**, the **Department of Mental Health**, the **Department of Natural Resources**, the **Department of Public Safety – (Capitol Police, Fire Safety, Missouri Highway Patrol, and Missouri Veterans Commission)**, the **Department of Social Services**, the **Missouri Consolidated Health Care Plan**, the **Missouri Department of Conservation**, the **Missouri Department of Transportation**, the **Missouri Lottery Commission**, the **Missouri National Guard**, the **Office of Administration**, the **Office of the Governor**, the **Office of the State Public Defender**, the **Office of the State Treasurer**, the **City of O’Fallon**, the **Phelps County Sheriff’s Department**, the **Kansas City Police Department**, the **St. Louis County Police Department**, each assume the proposal will have no fiscal impact on their respective organizations.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other cities, counties, nursing homes, circuit clerks, county prosecutors, local law enforcement, fire protection districts, ambulance/EMS, schools, and hospitals 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	FY 2027 (9 Mo.)	FY 2028	Fully Implemented (FY 2035)
GENERAL REVENUE				
<u>Revenue – DOR</u> (§§221.400, 221.402, 221.405, 221.407, 221.410) 1% Administration fee on sales tax collection p. 9	\$0	\$0 or Unknown, could exceed \$11,333	\$0 or Unknown, could exceed \$15,111	\$0 or Unknown, could exceed \$30,222
<u>Savings – DOC</u> (§478.001) Reduction in costs resulting from diversions to mental health treatment courts p. 15-16	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Savings – DOC</u> (§558.041) Potential impact to the population relating to good time credit p.	\$0	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
<u>Cost – DHSS</u> (§§190.053 through 190.166) p. 4-7				Could exceed...
Personal Service	(\$49,260)	(\$60,294)	(\$61,500)	(\$61,500)
Fringe Benefits	(\$32,903)	(\$39,958)	(\$40,441)	(\$40,441)
Exp. & Equip.	(\$9,486)	(\$6,855)	(\$6,993)	(\$6,993)
Total Cost - DHSS	(\$91,649)	(\$107,108)	(\$108,934)	(\$108,934)
FTE Change - DHSS	1 FTE	1 FTE	1 FTE	1 FTE

<u>FISCAL IMPACT – State Government</u>	FY 2026	FY 2027 (9 Mo.)	FY 2028	Fully Implemented (FY 2035)
<u>Cost – OSCA p. (§§211.072 through 595.325 Potential cost relating to public safety p. 36</u>	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<u>Cost - DOLIR p. 10 (§287.243) Increase claims amount for Line of Duty Comp</u>	Up to (\$400,000)	Up to (\$400,000)	Up to (\$400,000)	Up to (\$400,000)
<u>Cost – DOR (§301.260) p. 11-12</u>				Could exceed...
Personal Services	(\$38,705)	(\$47,375)	(\$48,322)	(\$48,322)
Fringe Benefits	(\$28,673)	(\$34,780)	(\$35,159)	(\$35,159)
Exp. & Equip.	(\$1,301)	\$0	\$0	\$0
Fusion implementation	\$0 or (\$125,000)	\$0	\$0	\$0
<u>Total Cost – DOR</u>	Up to (\$193,679)	(\$82,155)	(\$83,481)	(\$83,481)
FTE Change – DOR	1 FTE	1 FTE	1 FTE	1 FTE
<u>Cost – DOC (§454.1050) Restitution payment program p. 14</u>	(Unknown)	(Unknown)	(Unknown)	(Unknown)
<u>Cost – OSCA (§455.098) Technological modifications to the SMC System p. 14</u>	(\$750,000 to \$1,000,000)	\$0	\$0	\$0

<u>FISCAL IMPACT – State Government</u>	FY 2026	FY 2027 (9 Mo.)	FY 2028	Fully Implemented (FY 2035)
<u>Cost – DOC</u> (§§490.692, 556.061, 565.240, 566.151, 567.030, 568.045, 569.088, 570.036, 575.150, 575.205, 579.065, 579.068 and 595.045) p. 16-20, 23-34, 36	Could exceed...	Could exceed...	Could exceed...	Could exceed...
Personal Service	\$0	\$0	(\$47,776)	\$153,666
Fringe Benefits	\$0	\$0	(\$35,258)	\$113,404
Exp. & Equip.	\$0	\$0	(\$12,072)	\$13,002
Increased incarceration costs	(\$176,497)	(\$427,788)	(\$599,972)	(\$4,774,133)
<u>Total Cost - DOC</u>	(\$176,497)	(\$427,788)	(\$695,078)	(\$4,494,061)
FTE Change-DOC	0 FTE	0 FTE	1 FTE	(3) FTE
<u>Cost – DOR</u> (§557.520) p. 20-23				Could exceed...
Personal Service	(\$96,030)	(\$117,541)	(\$119,892)	(\$119,892)
Fringe Benefits	(\$77,969)	(\$94,486)	(\$95,429)	(\$95,429)
Exp. & Equip.	(\$13,274)	(\$11,928)	(\$12,166)	(\$12,166)
Admin Costs	(\$241,470)	\$0	\$0	\$0
<u>Total Cost – DOR</u>	(\$428,743)	(\$223,955)	(\$227,487)	(\$227,487)
FTE Change - DOR	3 FTE	3 FTE	3 FTE	3 FTE
<u>Cost – DOC</u> (§558.041) Calculation of good- time credits p.	(Unknown)	(Unknown)	(Unknown)	(Unknown)
<u>Cost – DOC</u> (§559.125) Requests for privileged information	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

<u>FISCAL IMPACT – State Government</u>	FY 2026	FY 2027 (9 Mo.)	FY 2028	Fully Implemented (FY 2035)
ANTI- TRAFFICKING FUND				
<u>Income –</u> (\$210.1505) Gifts, grants, donations p. 8	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Transfer In –</u> (\$210.1505) From General Revenue p. 8	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Cost – AGO</u> (\$210.1505) p. 8				Could exceed...
Personal Service	(\$123,333)	(\$150,960)	(\$153,979)	(\$153,979)
Fringe Benefits	(\$75,752)	(\$92,089)	(\$93,299)	(\$93,299)
Exp. & Equip.	(\$29,670)	\$0	\$0	\$0
Training and anti- trafficking efforts	(Unknown)	(Unknown)	(Unknown)	(Unknown)
<u>Total Cost - AGO</u>	<u>Could exceed</u> (\$228,755)	<u>Could exceed</u> (\$243,049)	<u>Could exceed</u> (\$247,278)	<u>Could exceed</u> (\$247,278)
FTE Change - AGO	2 FTE	2 FTE	2 FTE	2 FTE
ESTIMATED NET EFFECT ON THE ANTI- TRAFFICKING FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Estimated Net FTE Change on the Anti- Trafficking Fund	2 FTE	2 FTE	2 FTE	2 FTE

<u>FISCAL IMPACT – State Government</u>	FY 2026	FY 2027 (9 Mo.)	FY 2028	Fully Implemented (FY 2035)
CHEMICAL EMERGENCY PREPAREDNESS FUND (0587)				
<u>Income – SEMA (\$292.606) – renewal of annual fees p. 10</u>	<u>\$834,508</u>	<u>\$1,001,410</u>	<u>\$1,001,410</u>	<u>\$1,001,410</u>
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>
TREATMENT COURT RESOURCES FUND (0733)				
<u>Transfer In – From GR (\$478.001) p. 15</u>	<u>\$0 or could exceed \$600,000</u>	<u>\$0 or could exceed \$600,000</u>	<u>\$0 or could exceed \$600,000</u>	<u>\$0 or could exceed \$600,000</u>
<u>Cost – Program expenditures (\$478.001) p. 15</u>	<u>\$0 or (could exceed \$600,000)</u>	<u>\$0 or (could exceed \$600,000)</u>	<u>\$0 or (could exceed \$600,000)</u>	<u>\$0 or (could exceed \$600,000)</u>
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	FY 2027 (9 Mo.)	FY 2028	Fully Implemented (FY 2035)
PRETRIAL WITNESS PROTECTION FUND (0868)				
Cost – DPS (\$491.641) – reimbursement of pretrial witness protection costs	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT ON THE PRETRIAL WITNESS PROTECTION FUND	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
HIGHWAY FUNDS (0644)				
Revenue Loss – DOR (\$557.520) from reinstatement fees p. 20-23	<u>(\$92,423)</u>	<u>(\$110,907)</u>	<u>(\$110,907)</u>	<u>(\$110,907)</u>
ESTIMATED NET EFFECT ON HIGHWAY FUNDS (0644)	<u>(\$92,423)</u>	<u>(\$110,907)</u>	<u>(\$110,907)</u>	<u>(\$110,907)</u>

<u>FISCAL IMPACT – State Government</u>	FY 2026	FY 2027 (9 Mo.)	FY 2028	Fully Implemented (FY 2035)
HUMAN TRAFFICKING AND SEXUAL EXPLOITATION FUND				
<u>Revenue – p. 34-35 (\$589.700) Restitution revenue</u>	Unknown	Unknown	Unknown	Unknown
<u>Transfer Out – To Counties p.</u>	(Unknown)	(Unknown)	(Unknown)	(Unknown)
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 – DPS (\$595.045) Class E felony fee (\$46 per) p. 35-36</u>	<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>
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</u> – <u>Local</u> <u>Government</u>	FY 2026	FY 2027 (9 Mo.)	FY 2028	Fully Implemented (FY 2035)
LOCAL POLITICAL SUBDIVISIONS				
<u>Revenue</u> – p. 9 Regional jail districts (§§221.400, 221.402, 221.405, 221.407, 221.410) - Additional sales taxes received if approved by voters	\$0	\$0 or Unknown, could exceed \$1,133,306	\$0 or Unknown, could exceed \$1,511,075	\$0 or Unknown, could exceed \$3,022,150
<u>Revenue</u> - School Districts (§386.572) Increased penalty for violating federally mandated natural gas safety standards p. 13	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Income</u> – County Prosecutors/Law Enforcement (§491.641) – Reimbursement of pretrial witness protection costs	Unknown	Unknown	Unknown	Unknown
<u>Transfer In</u> – Counties (§589.700) From Human Trafficking and Sexual Exploitation Fund p. 34-35	Unknown	Unknown	Unknown	Unknown

<u>FISCAL IMPACT</u> <u>– Local</u> <u>Government</u>	FY 2026	FY 2027 (9 Mo.)	FY 2028	Fully Implemented (FY 2035)
<u>Cost</u> – Cities/ Counties (\$287.243) Increase claims amount for Line of Duty Comp p. 10	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<u>Cost</u> – Cities (\$320.528.2) Providing defense in various lawsuits p. 12-13	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<u>Cost</u> - (\$589.700) Local rehab services, education programs, etc. p. 34-35	(Unknown)	(Unknown)	(Unknown)	(Unknown)
<u>Revenue Loss</u> – Cities/Counties – From reinstatement fees \$557.520 p. 20-23	(\$30,808)	(\$36,969)	(\$36,969)	(\$36,969)
ESTIMATED NET EFFECT TO LOCAL POLITICAL SUBDIVISIONS	<u>More or less than</u> <u>(\$30,808)</u>	<u>More or less than</u> <u>\$1,096,337</u>	<u>More or less than</u> <u>\$1,474,106</u>	<u>More or less than</u> <u>\$2,985,181</u>

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

This act modifies provisions relating to public safety.

TRAINING REQUIREMENTS FOR AMBULANCE DISTRICT BOARD MEMBERS
(Sections 190.053, 190.076, 190.109, 190.112, & 190.166)

This act modifies training requirements for members of an ambulance district board of directors. Under this act, board members shall complete three hours of continuing education for each term of office. Failure to do so shall result in immediate disqualification and the office shall be vacant until filled.

Under this act, each ambulance district shall arrange for an audit of the district's records and accounts every three years by a certified public accountant. The audit shall be made available to the public on the district's website or otherwise freely available by other electronic means.

The Department of Health and Seniors Services, as a part of regulating ground ambulance service licenses, shall promulgate rules regarding participation with regional emergency medical services advisory committees and ambulance service administrator qualifications.

This act requires ambulance services to report to the Department individuals serving as ambulance service administrators. These administrators shall be required to complete training as described in the act.

Finally, the Department may refuse to issue, deny renewal of, or suspend a license required for ground ambulance services or take other corrective actions if the license holder is determined to be financially insolvent, has inadequate personnel for the service provided, requires an inordinate amount of mutual aid from neighboring services, has been determined to be criminally liable for actions related to the license or service provided, has been determined to be ineligible for participation in Medicare or MO HealthNet, whose ambulance district administrator has failed to meet the required qualifications or training, or if three or more board members have failed to complete required training. If the Department makes a determination of insolvency or insufficiency of services, then the Department may require the license holder to submit and complete a corrective plan, as described in the act.

The Department shall be required to provide notice of any determination of insolvency or insufficiency of services to other license holders operating in the license holder's vicinity, members of the General Assembly who represent that area, other governing officials, the appropriate regional emergency medical services advisory committee, and the State Advisory Council on Emergency Medical Services. The Department shall immediately engage with other license holders in the area. Assisting license holders may be compensated for such assistance as described in the act.

COMMUNITY PARAMEDICS (Section 190.098)

This act modifies provisions relating to certification of community paramedics and the provision of community paramedic services. Currently, community paramedics practice in accordance with protocols and supervisory standards of the ambulance service's medical director. Ambulance

services that provide community paramedic services in another ambulance service area shall enter into a written contract to do so. This act repeals these provisions.

Under this act, community paramedic services shall mean those services provided by an entity that employs licensed paramedics certified by the Department of Health and Senior Services as community paramedics for services that are provided in a nonemergent setting, consistent with the education and training of a community paramedic and the supervisory standard approved by the medical director, and documented in the entity's patient care plans or protocols.

Any ambulance service that seeks to provide community paramedic services outside of its service area shall have a memorandum of understanding (MOU) with the ambulance service of that area if that ambulance service is already providing those services or shall notify the ambulance services of that area if that ambulance service is not providing community paramedic services. Emergency medical response agencies (EMRA) may provide community paramedic services in a ground ambulance service's service area. If the ground ambulance service is already providing those services or provides them after the EMRA offers them, then the EMRA and ground ambulance service shall enter into a MOU for the coordination of services.

The Department shall promulgate rules and regulations for the purpose of certifying community paramedic services entities and the standards necessary to provide such services. Certified entities shall be eligible to provide community paramedic services for 5 years.

STATEWIDE COUNCIL AGAINST TRAFFICKING (Section 210.1505)

This act repeals provisions relating to the "Statewide Council on Sex Trafficking and Sexual Exploitation of Children" within the Department of Social Services and creates the "Statewide Council Against Adult Trafficking and the Commercial Sexual Exploitation of Children" within the office of the Attorney General. The Council shall make recommendations for a coordinated statewide effort against the trafficking of adults and children within the state.

The Attorney General shall serve as chairperson of the Council and shall hold an initial meeting before October 27, 2024. Finally, this act creates the "Anti-Trafficking Fund" to provide funds for the position of the Executive Director of the Council, for education regarding human trafficking, and for anti-trafficking efforts.

REGIONAL JAIL DISTRICTS (Section 221.400, 221.402, 221.405, 221.407, & 221.410)

Under current law, any two or more contiguous counties may establish a regional jail district. This act provides that if an existing regional jail district already levies a sales tax and another county joins the district, such joining with the district will not be effective until the voters of the county have approved the sales tax. If the voters do not approve the sales tax, the county attempting to join the district shall not be permitted to join.

This act also adds that a district may equip and maintain jail facilities, as well as lease its properties. The regional jail commission shall have the power to acquire, construct, repair, alter, improve, and extend a regional jail and it may contract with governmental or private entities. Commissioners shall also serve until their successors have assumed office.

Under current law, any regional jail district may impose a one-eighth, one-fourth, three-eighths, or one-half of one percent sales tax. This act changes the amount to up to one percent. This act also repeals the provision that such sales tax may be used for court facilities in the regional jail district.

This act also provides that expenditures paid for by the regional jail district sales tax trust fund may be made for any of the district's authorized purposes.

These provisions repeals the sunset provision.

These provisions contain an emergency clause.

LINE OF DUTY COMPENSATION ACT (Section 287.243)

Currently, a claim for compensation for a public safety officer killed in the line of duty is \$25,000. This act changes the amount to \$100,000 and provides that beginning in 2025, the amount of compensation shall be adjusted annually by the percent increase in the Consumer Price Index for All Urban Consumers.

This program shall automatically sunset on December 31, 2030.

MISSOURI EMERGENCY RESPONSE COMMISSION (Section 292.606)

This act extends the authority for the collection of certain fees by the Missouri Emergency Response Commission for six years, beginning August 28, 2025.

VEHICLES OWNED BY POLITICAL SUBDIVISIONS (Section 301.260)

This act requires political subdivisions to submit certain vehicle information to the Department of Revenue, and receive approval, in order to qualify for an exemption to vehicle titling and registration requirements.

These provisions shall take effect as soon as technologically possible following the development and maintenance of the Department of Revenue's modernized, integrated motor vehicle registration and driver licensing system.

FIREFIGHTERS PROCEDURAL BILL OF RIGHTS ACT (Sections 320.500 to 320.528)

This act established the "Firefighters Procedural Bill of Rights Act".

This act provides that no firefighter shall be prohibited from engaging or be required to engage in political activity or from running for political office except in certain circumstances.

Additionally, this act provides that when a firefighter is under investigation or under interrogation which could lead to disciplinary action, dismissal, demotion, suspension, reduction in salary, written reprimand, or transfer, the investigation shall include varies procedures as provided in the act.

Furthermore, this act provides that a firefighter shall not be subjected to punitive action, or denied promotion, or threatened with that treatment, because of the lawful exercise of the rights granted this act or the exercise of any rights under any existing administrative grievance procedure. Additionally, punitive action or denial of promotion on grounds other than merit shall not be undertaken against any firefighter who has successfully completed the probationary period without first providing the firefighter with an opportunity for administrative appeal. This act states that a fire chief shall not be removed without providing written notice, the reason for removal, and an opportunity for administrative appeal. Finally, punitive action or denial of promotion on grounds other than merit shall not be undertaken for any act, omission, or other allegation of misconduct if the investigation is not completed within one year of discovery by the employing fire department or licensing or certifying agency, except as provided in the act.

Additionally, this act provides that if, after investigation and any predisciplinary response or procedure, the employing department or licensing or certifying agency decides to impose discipline, that department or agency shall notify the firefighter in writing of its decision to impose discipline within 30 days but not less than 48 hours prior to imposing the discipline.

This act provides that firefighters shall have the opportunity to read any adverse comments in their personnel file and shall have 30 days to file a written response to such comments. Additionally, every employer shall, at reasonable times and at reasonable intervals, upon the request of a firefighter, during usual business hours, with no loss of compensation to the firefighter, permit that firefighter to inspect his or her personnel files and ask for corrections to any portion of the material is mistakenly or unlawfully placed in the file which shall either be granted or refused within 30 days.

This act provides that a firefighter may bring an action for violation of these provisions for injunctive or other extraordinary relief. Upon a finding by the court that a fire department maliciously violated any provision of this act with the intent to injure the firefighter, the fire department shall, for each and every violation, be liable for a civil penalty not to exceed \$25,000, actual damages, and reasonable attorney's fees as may be determined by the court. A fire department shall not be required to indemnify a contractor if there is a hold harmless or similar provision that protects the fire department from liability for the actions of the contractor. An individual shall not be liable for any act for which a fire department is liable under this provision.

NATURAL GAS SAFETY STANDARDS (Section 386.572)

The act repeals certain provisions relating to maximum penalties for violations of federally mandated natural gas safety standards and provides that the maximum penalties shall not exceed an amount as determined by the Secretary of Transportation of the United states.

UNIFORM CHILD ABDUCTION PREVENTION ACT (Sections 452.1100 to 452.1122)

This act establishes the "Uniform Child Abduction Prevention Act", which permits the court, either on its own or through a party's petition, to order abduction prevention measures in a child

custody proceeding if the court finds that the evidence establishes a credible risk of abduction of the child, as described in the act.

In an abduction prevention order, the court may impose conditions on the exercise of custody or visitation that limit visitation to be supervised and order the respondent to pay the costs of supervision, require the posting of a bond or provide other security in an amount sufficient to serve as a financial deterrent to abduction, and other conditions as provided in the act.

Additionally, to prevent imminent abduction of a child, a court may issue a warrant to take physical custody of the child or direct the use of law enforcement to take any action reasonably necessary to locate the child, obtain return of the child, or enforce a custody determination.

BENTLEY AND MASON'S LAW (Section 454.1050)
This act establishes "Bentley and Mason's Law".

Under this act, if a person is convicted of the offense of driving while intoxicated and such offense caused the death of a parent or guardian, the court may order the person to pay a monthly restitution to the child of the deceased parent or guardian until the child reaches 18 years of age.

Monthly restitution shall be determined and remitted as specified in the act. If the person ordered to pay restitution is unable to make required monthly payments because such person is imprisoned or otherwise confined, then the person shall begin making the payments no later than the first anniversary of the date of his or her release from the correctional facility and shall pay all arrearages, regardless of whether the payments were due to be terminated while the person was imprisoned or otherwise confined.

The amount of restitution paid under this act shall be deducted from any civil judgment against the defendant and shall not be construed to abrogate any common law cause of action.

The Attorney General or a person, parent, or guardian of a child due restitution under this act may enforce a restitution order issued in the same manner as a judgment in a civil action.

LIFETIME PROTECTION ORDERS (Section 455.098)

This act provides that a court shall have jurisdiction at the time of sentencing to enter a lifetime protection order restraining or enjoining the defendant from contacting the victim if the defendant has been found guilty of a dangerous felony. The protection order shall be effective immediately and shall be served on the defendant at the time of sentencing. Such order shall be valid for the defendant's lifetime unless:

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

If an order of protection is granted, the order shall be issued to the victim and to the law enforcement agency in which the victim resides. The sheriff shall enter all information into the

Missouri Uniform Law Enforcement System (MULES) within 24 hours and MULES shall forward the information to the National Crime Information Center.

MENTAL HEALTH COURTS (Section 478.001)

Currently, the treatment court divisions of the circuit courts may include an adult treatment court, DWI court, family treatment court, juvenile treatment court, and veteran treatment court, which are specialized courts focused on addressing substance abuse disorders, mental health disorders, and co-occurring disorders of certain criminal defendants. This act provides for the establishment of a mental health court within a treatment court division to provide an alternative for the disposal of cases that stem from mental health or co-occurring disorders of criminal defendants.

BUSINESS RECORDS ENTERED INTO EVIDENCE (Section 490.692)

Under current law, certain business records must be notarized in order to be entered into evidence in court.

This act repeals those requirements and provides that such records shall not be deemed invalid for the reason that it uses an electronic signature or that it does not include a notarization. Additionally, any affidavit falsely made shall subject the signer to criminal penalties.

PRETRIAL WITNESS PROTECTION PROGRAM (Section 491.641)

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.

OFFENSE OF ENDANGERING THE WELFARE OF A CHILD (Sections 556.061 & 568.045)

Under current law, a person commits the offense of endangering the welfare of a child in the first degree if he or she unlawfully manufactures or possesses amphetamine, methamphetamine, or any of their analogues. This act adds fentanyl and carfentanil.

Additionally, this act provides that if a person is found guilty of the offense of endangering the welfare of a child in the first degree involving fentanyl or carfentanil then the person shall serve a term of imprisonment of not less than five years and not more than ten years. Such person shall not receive a suspended imposition or execution of sentence from the court and shall not pay a fine in lieu of a term of imprisonment. Finally, such person shall not be eligible for conditional release or parole until he or she has served at least five years of imprisonment.

This act also adds the offense of endangering the welfare of a child in the first degree to the definition of "dangerous felony."

DWI DIVERSION PROGRAM (Section 557.520)

This act creates a DWI diversion program which allows a prosecuting or circuit attorney to divert the case to a DWI diversion program if the defendant meets the following criteria:

- The defendant has not previously been convicted of an intoxicated-related traffic offense;
- The defendant is not currently enrolled in another diversion program;
- The defendant does not hold a commercial driver's license;
- The offense did not occur while operating a commercial vehicle;
- The offense did not result in the injury or death of another person; and
- The defendant did not refuse a breathalyzer test.

The court may continue the diverted case for a period of up to 2 years and order the defendant to comply with terms and conditions of the program as determined by the prosecuting or circuit attorney. Any defendant who has a case continued pursuant to this act shall also have any proceeding relating to the suspension of his or her license continued by the Department of Revenue.

As part of the program requirements, the prosecuting or circuit attorney may require installation of an ignition interlock device for a period of not less than one year and require the defendant to participate in a victim impact panel. If the prosecuting or circuit attorney requires an ignition interlock device, the court shall notify the defendant that he or she is required to install an ignition interlock device as well as notify the defendant of any other requirements of the program. Any person required to install an ignition interlock device shall be subject to penalties as provided under current law. The court may require the defendant to pay all or part of the costs, unless the court finds the defendant indigent.

Additionally, the Department of Revenue shall inform the defendant of the requirements of the DWI diversion program and shall keep records of the installation of any ignition interlock devices. Any certified ignition interlock device provider shall inform the Department of any tampering of the device as provided in the act.

After the completion of the DWI diversion program and if the defendant has complied with all the imposed terms and conditions, the court shall dismiss the criminal case against the defendant, record the dismissal, and transmit the record to the central repository. The Department of Revenue shall also dismiss any proceeding to suspend the defendant's license. If the defendant does not comply with the terms of the program, the prosecuting or circuit attorney may file a motion to terminate the defendant from the diversion program and set the case on the next available criminal docket.

Finally, this act provides that a prosecuting or circuit attorney may divert intoxicated-related offenses to other diversion programs as provided in law.

CREDIT FOR JAIL TIME SERVED (Section 558.041)

This act provides that an offender shall receive credit in terms of days spent in confinement upon calculation as provided in the act. The Department of Corrections shall specify the programs or

activities in which credit may be earned and the criteria for offenders to participate as provided in the act.

Finally, the offenders may petition the Department to receive credit for programs prior to August 28, 2024, as provided in the act.

INFORMATION RECEIVED BY PROBATION & PAROLE OFFICERS (Section 559.125)

This act modifies provisions relating to privileged information received by probation or parole officers which shall not be receivable in any court except for criminal proceedings.

OFFENSE OF UNLAWFUL POSTING OF CERTAIN INFORMATION (Section 565.240)

Under current law, a person commits the offense of unlawful posting of certain information if he or she knowingly posts certain information to cause great bodily harm or death, or threatening to cause harm. This act adds that a person shall also commit such offense if he or she knowingly posts the Social Security number of a person to intimidate or harass such person or obtain financial gain from such person and such offense shall be a class E felony.

This act also changes the penalty from a class C misdemeanor to a class E felony if a person causes harm or death of another by posting the name, home address, Social Security number, telephone number, or any other personally identifiable information. This act also changes the penalty from a class E felony to a class D felony if a person threatens harm or death to a law enforcement officer, judge, and other public safety officers and from a class D felony to a class C felony if the person causes harm or death to a law enforcement officer, judge, and other public safety officers.

OFFENSES OF ENTICEMENT OF A CHILD & OFFENSE OF PATRONIZING PROSTITUTION (Sections 566.151 & 567.030)

Under current law, a person over 21 years old commits the offense of enticement of a child if he or she persuades any person less than 15 years old to engage in sexual conduct. This act changes the age to less than 17 years old.

Additionally, this act modifies the offense of patronizing prostitution. If the person patronized for prostitution is ages 15 to 17 it shall be a class E felony and if the person is less than 15 years old it shall be a class B felony.

OFFENSE OF TRESPASS BY AN ILLEGAL ALIEN (Section 569.088)

This act provides that if a person has entered the United States illegally pursuant to federal law and commits an offense of this state or violates an ordinance of a political subdivision, then that person shall also be guilty of the offense of trespass by an illegal alien. This offense is a class E felony if such person violated an ordinance of a political subdivision and a class C felony if the person committed a misdemeanor or felony. This offense shall not apply to a person who maintains authorization from the federal government to remain in the United States.

OFFENSE OF ORGANIZED RETAIL THEFT (Section 570.036)

This act creates the offense of organized retail theft if he or she, while alone or with any other person, commits a series of thefts of retail merchandise against one or more persons either on the premises of a merchant or through the use of an internet site with the intent to return the merchandise for value or resell the merchandise for value.

The offense of organized retail theft is a class D felony if the value stolen over 120 days is between \$1,500 and \$10,000 and a class C felony if the value is over \$10,000.

Finally, a person may be prosecuted in any jurisdiction in this state regardless of whether the defendant was ever physically present in such jurisdiction.

OFFENSE OF RESISTING ARREST (Sections 575.150)

This act modifies the offense of resisting, interfering with, escaping, or attempting to escape from arrest, detention, stop, or custody, by adding that a person is guilty of such offense if he or she, while being held in custody after a stop, detention, or arrest, escapes or attempts to escape from such custody. Such offense shall be a class A misdemeanor, unless the stop was for:

- A felony offense;
- A warrant issued for failure to appear on a felony case;
- A warrant issued for a probation violation on a felony case;
- While resisting or escaping from a stop or arrest, the person flees and creates a substantial risk of serious physical injury or death to any person; or
- The escape or attempt to escape while in custody was for a felony;

Then it shall be a class E felony; except that, if such escape is committed by means of a deadly weapon or by holding any person hostage it is a class A felony.

Additionally, the prosecution is not required to prove the defendant knew why he or she was being stopped or arrested.

OFFENSE OF TAMPERING WITH ELECTRONIC MONITORING EQUIPMENT (Section 575.205)

This act modifies the offense of tampering with electronic monitoring equipment to provide that a person commits the offense if he or she intentionally removes, alters, tampers with, damages, destroys, fails to charge, or otherwise disables electronic monitoring equipment which a court or the Parole Board has required such person to wear.

The offense of tampering with electronic monitoring equipment if the person fails to charge or otherwise disables the electronic monitoring equipment is a class E felony, unless the offense for which the person was placed on electronic monitoring was a misdemeanor, in which case it is a class A misdemeanor.

DRUG TRAFFICKING (Sections 579.065 & 579.068)

Under current law, the offense of trafficking drugs in the first and second degree includes when a person trafficks more than ten milligrams of fentanyl or carfentanil. This act changes the amount of fentanyl or carfentanil to more than three milligrams.

Additionally, under current law, the offense of trafficking drugs in the first degree and second degree has increased penalties for certain amounts of fentanyl and carfentanil. This act changes the amount of fentanyl to more than fourteen milligrams shall be a class A felony and changes the amount of carfentanil to more than five hundredths of a milligram shall be a class B felony.

Finally, under current law, a person commits the offense of drug trafficking in the first or second degree if he or she is distributing or purchasing more than 8 grams or more than 24 grams of a mixture containing a cocaine base.

This act repeals those provisions.

RESTITUTION FOR HUMAN TRAFFICKING OFFENSES (Section 589.700)

This act provides that the court shall award restitution payable to the newly created Human Trafficking and Sexual Exploitation Fund when a person pleads guilty to or is convicted of a human trafficking offense. The Human Trafficking and Sexual Exploitation Fund shall allocate \$10,000 per each victim of an offense that occurred in the county toward local rehabilitation services for victims of human trafficking and \$2,500 toward local efforts to prevent human trafficking.

CRIME VICTIMS' COMPENSATION FUND (SECTIONS 595.045)

This act adds that a person who pleads guilty to a class E felony shall pay a fee of \$46 payable to the Crime Victims' Compensation Fund.

MISSING AND MURDERED AFRICAN AMERICAN WOMEN AND GIRLS TASK FORCE (Section 595.325)

This act creates the "Missing and Murdered African American Women and Girls Task Force" with membership as provided in the act. The Task Force shall elect a chairperson and shall hold an initial meeting before October 1, 2025.

The Task Force shall submit a report regarding policies and measures to address violence against African American women and girls as provided in the act to the Governor and General Assembly on or before December 31st of each year and the Task Force shall expire on December 31, 2027, unless the Department of Public Safety determines the Task Force should be extended until December 31, 2029 .

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 Commerce and Insurance
Department of Corrections
Department of Elementary and Secondary Education
Department of Health and Senior Services
Department of Labor and Industrial Relations
Department of Mental Health
Department of Natural Resources
Department of Public Safety
Department of Revenue
Department of Social Services
Joint Committee on Administrative Rules
Missouri Consolidated Health Care Plan
Missouri Department of Conservation
Missouri Department of Transportation
Missouri House of Representatives
Missouri Lottery Commission
Missouri National Guard
Missouri Office of Prosecution Services
Missouri Senate
Office of Administration
Office of the Governor
Office of the Secretary of State
Office of the State Courts Administrator
Office of the State Public Defender
Office of the State Treasurer
City of Kansas City
City of O'Fallon
Phelps County Sheriff's Department
Kansas City Police Department
St. Louis County Police Department



Julie Morff
Director
March 24, 2025



Jessica Harris
Assistant Director
March 24, 2025