

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1205H.06T  
Bill No.: Truly Agreed To and Finally Passed HCS for SS for SB 43  
Subject: Attorneys; Children and Minors; Courts; Courts, Juvenile; Domestic Relations;  
Family Law; Department of Mental Health; Department of Social Services;  
Division of Youth Services; Crimes and Punishment  
Type: Original  
Date: June 25, 2025

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Bill Summary: This legislation modifies provisions relating to child protection.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>				
<b>FUND AFFECTED</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>Fully Implemented (FY 2032)</b>
General Revenue	Could exceed (\$12,187,898)	Less than \$10,789,124	Less than \$9,696,371	Less than \$9,670,559
<b>Total Estimated Net Effect on General Revenue</b>	<b>Could (\$12,187,898)</b>	<b>Less than \$10,789,124</b>	<b>Less than \$9,696,371</b>	<b>Less than \$9,670,559</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>				
<b>FUND AFFECTED</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>Fully Implemented (FY 2032)</b>
Child and Family Legal Representation Fund*	\$0	\$0	\$0	\$0
Crime Victims' Compensation Fund (0681)	\$442,290	\$442,290	\$442,290	\$442,290
Human Trafficking and Sexual Exploitation Fund*	\$0	\$0	\$0	\$0
Safe Place for Newborns Fund*	\$0	\$0	\$0	\$0
State Facility Maintenance And Operation Fund (#0501)	\$0	\$0	Likely to exceed (\$460,241)	Likely to exceed (\$460,241)
<b>Total Estimated Net Effect on Other State Funds</b>	<b>\$442,290</b>	<b>\$442,290</b>	<b>Likely to exceed (\$17,951)</b>	<b>Likely to exceed (\$17,951)</b>

\*Fund income less disbursements net to zero.

Numbers within parentheses: () indicate costs or losses.

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

\*Fund income less disbursements net to zero.

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>				
<b>FUND AFFECTED</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>Fully Implemented (FY 2032)</b>
General Revenue	1.5 FTE	1.5 FTE	1.5 FTE	1.5 FTE
State Facility Maintenance And Operation Fund (#0501)	0 FTE	0 FTE	1 FTE	1 FTE
Federal Funds	1.5 FTE	1.5 FTE	1.5 FTE	1.5 FTE
<b>Total Estimated Net Effect on FTE</b>	<b>3 FTE</b>	<b>3 FTE</b>	<b>4 FTE</b>	<b>4 FTE</b>

☒ 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.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>				
<b>FUND AFFECTED</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>Fully Implemented (FY 2032)</b>
<b>Local Government</b>	<b>Unknown to (Unknown)</b>	<b>Unknown to (Unknown)</b>	<b>Unknown to (Unknown)</b>	<b>Unknown to (Unknown)</b>

## **FISCAL ANALYSIS**

### **ASSUMPTION**

#### **§135.341 – Champion for Children Tax Credit**

Officials from the **Office of Administration – Budget & Planning (B&P)** state Section 135.341.2 would increase the value of the Champion for Children tax credit to 70% of each contribution beginning with tax year 2025. B&P notes that the three-year average redemption amount was \$1,024,066 from FY22-FY24. Had the tax credits been set at 70% of donations, redemptions would have been \$1,433,692; for an increase of \$409,626 in redemptions. This provision will begin impacting GR in FY26 when annual income tax returns are filed.

B&P notes that this proposal would increase the credit value for tax years beginning 2025. However, this proposal would not be effective until August 28, 2025 – after many individuals have already made their donation and received a certificate with a credit value set at 50%. It is unclear if each impacted individual would need to request a new certificate from the agency where the donation was made.

Section 135.341.3 would increase the annual redemption limit from \$1.5 million to \$2.5 million annually beginning with FY26.

B&P notes that this proposal increases the annual redemption limit by more than the estimated impact of increasing the credit value to 70%. Therefore, B&P estimates that in total, this proposal may reduce TSR and GR by \$409,626 to \$1 million annually beginning in FY26.

Officials from the **Department of Revenue (DOR)** state the Champion of Children Tax Credit program began in 2013 and granted a tax credit equal to 50% of a donation made to a qualified agency. It originally had a \$1 million cap and is an apportioned credit. It is administered by DOR.

The tax credit is able to be carried over to any subsequent 5 tax year. The credit is not assignable, refundable, transferrable, or can be sold. None of these things change with this proposal. The original credit contained a sunset clause which is extended per this proposal.

In 2018, the cap on the credit was increased starting July 1, 2019, to \$1.5 million annually. For informational purposes DOR is showing the amount of credits redeemed annually over the last several years.

<b>Fiscal Year</b>	<b>Apportioned Cap</b>	<b>Total Credit Redeemed</b>
FY 2024	\$1,500,000	\$961,385.26
FY 2023	\$1,500,000	\$1,225,848.00
FY 2022	\$1,500,000	\$884,965.00
FY 2021	\$1,500,000	\$1,339,280.00
FY 2020	\$1,500,000	\$827,942.00
FY 2019	\$1,000,000	\$999,995.00
FY 2018	\$1,000,000	\$999,986.00
FY 2017	\$1,000,000	\$999,873.00
FY 2016	\$1,000,000	\$999,987.00

This proposal starting January 1, 2025, would increase the amount of the credit to 70% of the donated amount. Since this credit has a cap, this change in the percentage rate will not have a fiscal impact. It should be noted that these changes will not be effective until after August 28, 2025. This change in the percentage of the cap will be taken on the tax returns starting January 1, 2026 (FY 2026).

This proposal will also increase the cap on the program from \$1.5 million to \$2.5 million starting July 1, 2025. This will result in an additional loss to general revenue of \$1 million starting FY 2026.

<b>Fiscal Year</b>	<b>Loss to General Revenue</b>
FY 2026	(\$1,000,000)
FY 2027	(\$1,000,000)
FY 2028	(\$1,000,000)

It should be noted that due to the backdating of this proposal to January 1, 2025, many of the taxpayers will already have made their donation and received their tax credit certificate at the 50% rate. It is unclear if new certificates will be required to be issued at the 70% rate.

The proposal will require DOR to make changes to the MO-TC form (\$2,200), and to update their website and make changes to the individual income tax computer system (\$1,832). These changes are estimated to cost \$4,032.

This proposal is adding language that when the credit is apportioned and DOR notifies the taxpayer of the reduced amount of the credit and any additional tax liability owed by the taxpayer from not receiving the full credit, the taxpayer will not owe any interest or penalties on the underpayment as long as they pay within 60 days of the receipt of notice. The current statutes do allow a person to make payment arrangements before instituting any penalties or fees. Therefore, this language would not have a fiscal impact.

**Oversight** assumes the Department of Revenue (DOR) is provided with core funding to handle a certain amount of activity each year. **Oversight** assumes DOR could absorb the administrative costs related to this proposal. If multiple bills pass which require additional staffing and duties at substantial costs, DOR could request funding through the appropriation process.

Oversight notes the last three-year (2022-2024) average redemption totaling \$1,024,066 in tax credits at 50% contribution amounts.

Oversight assumes at the 70% contribution, and three-year average redemption amounts shown above, the taxpayers will be able to receive \$1,433,693  $[(\$1,024,066/0.5) \times 0.70]$ . Therefore, the taxpayer could receive up to \$409,627 ( $\$1,433,693 - \$1,024,066$ ) more at 70% redemption rate. Oversight notes this proposal increases the cap from \$1.5 million to \$2.5 million. This would be an additional cost to general revenue of \$1 million starting in FY 2026. The combined impact would be \$1,409,627 in FY 2026 and FY 2027.

Lastly, Oversight notes the program would sunset as of December 31, 2025 (with redemption occurring in FY 2026) without this proposal. Therefore, Oversight will show an impact up to the full program cap of \$2.5 million in FY 2028 as a continuance of the program beyond the current sunset date.

Officials from the **Oversight Division** state they are responsible for providing a Sunset Report pursuant to Section 23.253 RSMo; however, the Oversight Division can absorb the cost with the current budget authority.

#### \$135.460 – Youth Opportunities Tax Credit

Officials from the **Office of Administration – Budget & Planning (B&P)** note:

This proposal would increase the value of the youth opportunities tax credit to 70% of each contribution. B&P notes that the three-year average redemption amount was \$2,926,896 from FY22 – FY24. B&P further notes that had the tax credits been set at 70% of donations, redemptions would have been \$4,097,655. Therefore, B&P estimates that this provision could reduce GR by \$1,170,759 annually beginning in FY26.

Officials from the **Department of Revenue (DOR)** state the Youth Opportunities tax credit program has a \$6 million cap with the credit based on 50% of the contribution made. For informational purposes DOR is providing the amount authorized, issued and redeemed for this credit.

<b>Year</b>		<b>Issued</b>	<b>Total Redeemed</b>
FY 2024	\$9,756,101.00	\$4,706,331.00	\$3,468,054.65
FY 2023	\$2,247,858.00	\$4,139,385.00	\$2,987,947.79
FY 2022	\$5,706,067.00	\$3,039,904.00	\$2,324,687.48
FY 2021	\$5,288,870.00	\$1,983,794.00	\$4,084,410.34
FY 2020	\$1,212,623.00	\$4,086,770.50	\$5,217,305.77
FY 2019	\$5,169,666.00	\$5,822,539.00	\$4,040,657.57
FY 2018	\$6,826,426.00	\$5,726,775.00	\$4,818,711.26
FY 2017	\$5,642,936.00	\$6,349,945.00	\$5,451,135.04
FY 2016	\$6,375,728.00	\$5,411,972.00	\$4,706,636.11
FY 2015	\$7,041,012.00	\$5,325,506.00	\$4,247,824.65
FY 2014	\$5,941,601.50	\$5,080,128.00	\$5,239,666.42
FY 2013	\$5,609,784.00	\$5,571,555.00	\$3,906,262.62
FY 2012	\$5,843,692.62	\$4,152,310.83	\$4,979,894.20

This proposal increases the percent of the contribution from 50% to 70% for the amount of the tax credit a person receives. An increase of \$1,170,759. It is unclear if this would encourage more taxpayers to contribute and claim the tax credit. The three-year average of the redemptions of the program has been \$2,926,897. However, since this program has an annual cap, it is not expected to result in any additional impact to the state.

**Oversight** notes the YOP program expenditures:

	<b>FY 2021 ACTUAL</b>	<b>FY 2022 ACTUAL</b>	<b>FY 2023 ACTUAL</b>
Certificates Issued (#)	974	1,504	1,559
Projects/Participants (#)	36	13	57
Amount Authorized	\$5,706,067	\$2,247,858	\$9,756,101
Amount Issued	\$3,039,904	\$4,139,385	\$4,706,331
Amount Redeemed	\$2,324,687	\$2,987,948	\$3,468,054

DED Form 14

Oversight notes the YOP is a contribution tax credit program, which broadens and strengthens opportunities for positive development and participation in community life for youth and discourages criminal and violent behavior. Individuals, businesses, and corporations having tax liability in Missouri are eligible to receive tax credits for qualified donations to approved YOP projects.

Oversight notes the 3-year average redemption was \$2,926,896 at 50% contribution percentage tax credit.

Oversight notes the 70% contribution tax credit would allow for a total of \$4,097,655 in the same period.

Oversight notes that the difference between 50% and 70% contribution redemption would total to \$1,170,759 (\$4,097,655 -\$2,926,896).

Oversight notes this proposal does not change the \$6 million maximum YOP cap, instead it increases the percentage of the contribution from 50% to 70% for the amount of the tax credit. This will allow for those who claim the tax credit receive greater amount of funds but will not affect the overall maximum cap available under the proposal.

Therefore, for the purpose of this fiscal note, Oversight will reflect only the credit difference of \$1,170,759 to the general revenue in the fiscal note for the YOP tax credit.

Officials from the **DOR** assume the Department will need to update their computer programs (1,832) and forms (\$2,200) for each credit. DOR estimates the total cost of the changes at \$12,096.

**Oversight** assumes the Department of Revenue (DOR) is provided with core funding to handle a certain amount of activity each year. **Oversight** assumes DOR could absorb the administrative costs related to this proposal. If multiple bills pass which require additional staffing and duties at substantial costs, DOR could request funding through the appropriation process.

Officials from the **Department of Commerce and Insurance (DCI)** state A potential unknown decrease of premium tax revenues (up to the tax credit limit established in the bill) in FY2026, FY2027, and FY2028 as a result of the modification of Youth Opportunities and Violence Prevention Act tax credits. Premium tax revenue is split 50/50 between General Revenue and County Foreign Insurance Fund except for domestic Stock Property and Casualty Companies who pay premium tax to the County Stock Fund. The County Foreign Insurance Fund is later distributed to school districts throughout the state. County Stock Funds are later distributed to the school district and county treasurer of the county in which the principal office of the insurer is located. It is unknown how each of these funds may be impacted by tax credits each year and which insurers will qualify for the modified tax credit.



§135.621 Diaper Bank Tax Credit

Officials from the **Department of Revenue (DOR)** state this proposal modifies the diaper bank tax credit program. The credit sunsets on December 31, 2024.

DOR notes this program was adopted in 2018 and had a cap of \$500,000 annually. No changes have been made to the program since it started. For informational purposes, DOR is showing the issuances and redemptions over the course of the tax credit.

Year	Authorized	Issued
FY 2024	\$173,152.90	\$173,152.90
FY 2023	\$136,018.86	\$136,018.86
FY 2022	\$182,018.00	\$182,018.00
FY 2021	\$189,453.90	\$189,453.90
FY 2020	\$189,628.19	\$189,628.19
FY 2019	\$0.00	\$0.00
FY 2018	\$0.00	\$0.00

This proposal would be restarting the program by extending its sunset date, which would result in a cost of \$500,000 annually. Additionally, it would require DOR to update their computer program at a cost of \$1,832.

Officials from the **Office of Administration – Budget & Planning (B&P)** did not respond to **Oversight’s** request for fiscal impact for this version of the proposal. However, in response to a similar/identical bill, SB 95 (2025), officials from **B&P** assumed his proposal would restart the diaper bank credit, makes various definition changes, increases the amount of credits that may be redeemed each year, and removes the sunset provision. In FY24, \$175,525 was redeemed for this tax credit program.

This proposal would restart this tax credit, keeping the current annual redemption limit of \$500,000. Therefore, B&P estimates that this provision could reduce TSR and GR by \$175,525 to \$500,000 per year starting FY26.

**Oversight** notes the following for the Diaper Bank Tax Credit:

Year	Authorized	Issued	Redeemed
FY 2024	\$173,153	\$173,153	\$175,525
FY 2023	\$136,019	\$136,016	\$150,010
FY 2022	\$182,018	\$182,018	\$122,611
FY 2021	\$189,454	\$189,454	\$137,331
FY 2020	\$189,628	\$189,628	\$40,082

\*Source: Tax Credit Analysis Forms – January 2025 submission

**Oversight** notes this proposal extends the sunset date for this program. The average, based on the three-year tax credit redemption, was \$149,382  $(\$175,525 + \$150,010 + \$122,611) / 3$ , rounded to nearest dollar, for FY 2022 to FY 2024.

**Oversight** also notes this section currently allows sunset as of December 31, 2024; however, this proposal extends the sunset to December 31, 2031 (FY 2032). Therefore, Oversight will reflect the potential full impact of the tax credit cap, as an average of \$149,382, in continued costs to general revenue in FY 2026 and thereafter.

§§210.112, 210.119, 210.145, 210.160, 210.560, 210.565, 210.762, 211.032, 211.211, 211.261 & 211.462 - Child Protection

Officials from the **Department of Social Services (DSS)** state the following:

There is an anticipated fiscal impact to the Children’s Division to execute 210.119.1 RSMo. as drafted. In Calendar Year 2024 the Division spent \$13,685,535 (\$4,747,512 GR and \$8,938,023) for 70 youth in Out of State Placements for an average of a 60-day placement, due to lack of placement options within the State of Missouri. This is an average of \$3,258.46 daily rate per youth. In CY 2024 the Division spent \$15,066,206 GR for children in hospitals beyond medical necessity. This was for approximately 314 youths for an average of 22 days per youth. The total current cost to house these youth is \$28,751,741. (\$19,813,718 GR and \$8,938,023 FF)

It would take 4 programs to house these youth. A residential program that would follow the DYS model would require an initial start-up cost of \$9,218,844 GR and typically take about six months to get it ready. The Division estimates the on-going cost to operate this program would be \$1,200 per day per youth. Therefore, the on-going cost would be \$17,520,000 (40 beds X \$1,200 X 365 days) (\$6,077,688 GR and \$11,442,312 FF). Below is a chart showing the costs and savings.

			First year		On-going	
			GR	FF	GR	FF
<b>Savings</b>						
Out of state placements	\$13,685,535				\$4,747,512	\$8,938,023
Hospital Stay	\$15,066,206				\$15,066,206	
	\$28,751,741				\$19,813,718	\$8,938,023
<b>Cost</b>						
Start-up	(\$9,218,844)		(\$9,218,844)			
On-going	(\$17,520,000)				(\$6,077,688)	(\$11,442,312)
Net			(\$9,218,844)	\$0	\$13,736,030	(\$2,504,289)

Since the first year would be spent on start-up there would be no savings.

It is difficult to estimate the daily cost of these facilities, so the Department is providing a first-year cost of \$9,218,844 and an on-going net savings to General Revenue up to \$13,736,030 and net federal cost of up to \$2,504,289 for services.

In addition to the services listed above, the Department would need three staff consisting of one legal counsel, one program manager, and one program development specialist.

In order to receive federal reimbursement for these services, DSS would need to develop a rate approved by CMS. The staff are needed to coordinate appropriate rate structure research and development and to work with CMS on rate structure approval to maximize federal reimbursement. In addition, staff are needed for developing a structure for on-going service monitoring, oversight of the program, and appropriate licensure for federal reimbursement.

There would appear to be no fiscal impact on CD in the underlying CAN cases in juvenile court, as the county/juvenile office usually pays for these contracted attorneys.

However, CD pays for the services of parents' attorneys and the GAL in all TPR cases. Although it is not likely in many courts that an attorney for the child and a GAL would be appointed, there would be a fiscal impact on CD for the cost of paying for both counsel for a child and a GAL for a child, when typically at present only a GAL represents the child.

So essentially in TPR cases, the fiscal impact for CD would be the fees of one additional attorney on the case in those cases where a court appointed both counsel for a child and a GAL. If the judge chooses to appoint a GAL in addition to an attorney for the child in the TPR, the result would be additional attorney fees of approximately \$7000 in each child's case, and this would include DLS and JO filed cases. There were 6,725 children who exited Family Centered Out-of-Home (alternative/foster) Care according to 2023 Children's Division Annual Report.

Out of that number, there were **404** terminations of parental rights proceedings. The worst-case scenario would be an anticipated fiscal impact of **\$2,828,000** (404 TPRs X \$7000). However, it is unknown how many judges would appoint both an attorney and a GAL.

In response to a previous version, officials from the **Office of Administration (OA), Information Technology Services Division (ITSD)/DSS** stated updates to the DYS and FACES applications would be required.

OA, ITSD/DSS assumes every new IT project/system will be bid out because all ITSD resources are at full capacity. IT contract rates for the DYS & FACES applications are estimated at \$105/hour. It is assumed the applications modifications will require 1,135.08 hours for a cost of \$119,183 (1135.08 \* \$105) for FY26 and on-going costs of \$23,712 for FY27 and \$24,305 for FY28.

**Oversight** does not have any information to the contrary. Therefore, Oversight will reflect the costs provided by DSS and by ITSD/DSS for fiscal note purposes.

Officials from the **Office of Administration (OA), Facilities Management, Design and Construction (FMDC)** state at this time, DSS could provide this program at their Rich Hill location which would require improvements to make the facility operational. In addition, FMDC would be required to have 1 Specialized Trades Worker onsite. Currently, this location is vacant.

Given the project timeframes provided by DSS, **Oversight** assumes the additional costs for OA, FMDC could begin as early as FY 2028. Therefore, Oversight will reflect the estimates for FTE, fuel and utilities provided by the OA, FMDC as beginning in FY 2028.

#### §210.950 - "Safe Place for Newborns Fund"

In response to similar legislation SS for SCS for HB 121 (2025), officials from the **Fruitland Area Fire Protection District** stated that, although this legislation would have no serious fiscal impact to their organization, it could assist agencies to offset the costs involved with installation of these devices and get more of these lifesaving devices in the State.

**Oversight** does not have any information to the contrary. Therefore, Oversight assumes the Fruitland Area Fire Protection District will not require any additional staff or resources and will reflect no fiscal impact to the Fruitland Area Fire Protection District for fiscal note purposes.

Officials from the **Department of Health and Senior Services (DHSS)** state § 210.950.13(1) creates the Safe Place for Newborns Fund, consisting of consist of moneys appropriated by the general assembly from general revenue and any gifts, bequests, or donations.

Section 210.950.14 creates a program providing matching funds for the installation of newborn safety incubators, up to \$10,000 per installed incubator.

It is assumed that the Department can absorb the costs of this bill with current resources. However, if the workload significantly increased or other legislation was enacted, additional resources would be requested through the appropriation process.

**Oversight** assumes DHSS is provided with core funding to handle a certain amount of activity each year. Oversight assumes DHSS could absorb the costs related to this proposal. If multiple bills pass which require additional staffing and duties at substantial costs, DHSS could request funding through the appropriation process. Therefore, Oversight will reflect a zero impact in the fiscal note for this agency.

**Oversight** notes that, according to an article by Anna Claire Vollers published in the [Missouri Independent](#) on February 28, 2024:

*In Missouri, a newborn girl was anonymously surrendered to a drop-off box two weeks ago [February 2024] at a Mehlville Fire Protection District station in St. Louis County... It was the first time a drop-off box was used in Missouri since a law legalizing them was passed in 2021.*

*The initial cost of a baby box is about \$20,000. That price includes the leasing of the box from Safe Haven Baby Boxes, which owns the patent and contracts with a manufacturer, as well as costs for installation, electrical and alarm system hookups, and staff training on how to use it. There's also a \$500 annual service fee, paid to Safe Haven Baby Boxes, to ensure the box continues working properly.*

**Oversight** is uncertain how much would be appropriated and transferred into the Safe Place for Newborns Fund, if any, but notes the total amount available to the fund from state sources under such a match program shall be up to ten thousand dollars for each newborn safety incubator installed. Oversight assumes a fiscal impact of “\$0 to Unknown” for the transfer from General Revenue and assumes the transfer is not likely to exceed the \$250,000 threshold annually.

**Oversight** assumes funds in the Safe Place for Newborns Fund will be disbursed in the same year it is received. Therefore, Oversight will reflect the income and expenses to the fund as “\$0 to Unknown” and net to \$0.

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

Officials from the **Department of Public Safety**, the **Office of the State Courts Administrator**, the **Office of the State Public Defender**, the **Department of Social Services**, the **Phelps County Sheriff** and the **Missouri Office of Prosecution Services** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

**Oversight** only reflects the responses received from state agencies and political subdivisions; however, other local law enforcement agencies 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.

#### §§451.040, 451.080 & 451.090 – Age of Marriage

In response to similar legislation from 2024, SCS for SB Nos. 767 & 1342, officials from the **Mississippi County Recorder of Deeds Office** assumed a slight impact, but the benefits of the proposal would outweigh the little loss that the office may incur.

**Oversight** assumes the Mississippi County Recorder of Deeds Office's impact would be minimal for this proposal and will reflect no fiscal impact.

Officials from the **Department of Social Services** and the **Department of Health and Senior Services** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

**Oversight** only reflects the responses received from state agencies and political subdivisions; however, other counties, St. Louis City and other county recorders of deeds 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.

**Oversight** notes the number of marriages from the Provisional Vital Statistics Report on the Department of Health and Senior Services website over the last 5 years:

<b>Calendar Years</b>	<b>Number of Marriages</b>	<b>Both Under the Age of 18</b>
2024 ending April	7,508	N/A
2023	33,684	N/A
2022	36,103	51
2021	37,254	87
2020	34,425	68
2019	36,636	71

**Oversight** assumes there will be a minimal loss to County Recorder of Deeds offices; therefore, Oversight will reflect no fiscal impact.

§§477.700, 477.705, 477.710 & 477.715 – Child and Family Legal Representation

Officials from the **Office of Administration - Budget and Planning (B&P)** assume §477.710 creates the Child and Family Legal Representation Fund. This fund may hold gifts, contributions, grants, bequests, or other aid received from federal, private, or other sources. To the extent that gifts, contributions, grants, bequests, or other aid received from federal, private, or other sources are deposited into this fund, Total State Revenue may increase by an unknown amount.

Officials from **Office of the State Courts Administrator (OSCA)** state the “Child and Family Legal Representation Coordinating Board” shall be composed of nine members. The members shall serve without compensation but shall be reimbursed out of funds appropriated for this purpose for actual and reasonable expenses incurred in the performance of their duties.

**Oversight** notes §477.700 creates the “Child and Family Legal Representation Coordinating Board” within the Missouri Supreme Court. The Board, consisting of nine members appointed by the Supreme Court as specified in the act, shall have the responsibility to collaborate with the various judicial circuits, judges, attorneys and other state departments or agencies to ensure uniform, high-quality legal representation to children. The “Child and Family Legal Representation Fund” is also created in the State Treasury to fund the work of this office.

Officials from the **Office of Attorney General (AGO)** assume any potential litigation costs arising from this proposal can be absorbed with existing resources. The AGO may seek additional appropriations if the proposal results in a significant increase in litigation or investigation costs.

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

Officials from the **Office of the State Treasurer, Department of Elementary and Secondary Education, Department of Mental Health, Department of Health and Senior Services, Missouri Senate, Missouri House of Representatives, Missouri Office of Prosecution Services** and the **Joint Committee on Administrative Rules** each assume the provisions will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

§§491.075 & 492.304 – Depositions and Examination of Witnesses

Based on agency responses from similar legislation in 2025 (HCS HB 224), **Oversight** assumes this section will have no fiscal impact on state or local governments.

§537.046 – Nondisclosure Agreements in Child Sexual Abuse Cases

Officials from the **Department of Health and Senior Services, the Department of Mental Health, the Department of Corrections, the Office of the State Courts Administrator, the Office of the State Public Defender, the Missouri Office of Prosecution Services** and the **Department of Social Services** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Officials from the **Office of Attorney General (AGO)** assume any potential litigation costs arising from this proposal can be absorbed with existing resources. However, the AGO may seek additional appropriations if the proposal results in a significant increase in litigation or investigation.

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

§§566.151 & 567.030 – Criminal Offenses Involving a Child and Prostitution

Officials from the **Department of Corrections (DOC)** state Section 566.151 changes the age of the victim from any person who is less than fifteen to seventeen years of age. From FY 2022 to FY 2024, the department totaled 59 new prison admissions and 3 new probation cases for sentences of enticement of a child. The increase in the minimum age under which a person can be considered to be enticed as a child could create additional instances in which a person could be charged with a crime under this section. However, there is no available data to determine the number of 16- and 17-year-olds to whom this could have potentially applied. Therefore, the impact for this section is an unknown cost.

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

There were three new court commitments to prison and one new probation case under section 567.030 from FY 2021 through FY 2024 that were class D felonies.

Given there have been years in which there were no new court commitments and/or probation cases under this section, they used 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
<b>New Admissions</b>										
Current Law	1	1	1	1	1	1	1	1	1	1
After Legislation	1	1	1	1	1	1	1	1	1	1
<b>Probation</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	0	0	0	0	0	0	0	0	0	0
<b>Change (After Legislation - Current Law)</b>										
Admissions										
Probations										
<b>Cumulative Populations</b>										
Prison						1	2	2	2	2
Parole						-1	-1	-1		
Probation										
<b>Impact</b>										
Prison Population						1	2	2	2	2
Field Population						-1	-1	-1		
<b>Population Change</b>								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.

Officials from the **Office of the State Public Defender (SPD)** state per the recently released National Public Defense Workload Study, the new charge contemplated by this change to Sections 566.151, 567.030 modifying the age range and enhancing the punishment, would take approximately fifty-seven hours of SPD work per case for the new B felony for reasonably effective representation. If one hundred cases were filed under this section in a fiscal year, representation would result in a need for an additional three attorneys. Because the number of cases that will be filed under this statute is unknown, the exact additional number of attorneys necessary is unknown. Each case would also result in unknown increased costs in the need for core staff, travel, and litigation expenses.

Under these same standards, an E felony would take approximately thirty-five hours of SPD work for reasonably effective representation. If one hundred cases were filed under this section in a fiscal year, representation would result in a need for an additional one to two attorneys. Because the number of cases that will be filed under this statute is unknown, the exact additional number of attorneys necessary is unknown. Each case would also result in unknown increased costs in the need for core staff, travel, and litigation expenses.

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

#### §568.045 – Endangering the Welfare of a Child

Officials from the **DOC** state the increase in the minimum age under which a person can be considered to be endangered as a child in the first degree 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 17 year olds to whom this could have potentially applied. Therefore, the impact is an unknown cost.

	# to prison	Cost per year	Total Costs for <b>prison</b>	Change in probation & parole officers	Total cost for <b>probation and parole</b>	# to probation & parole	Grand Total - Prison and Probation (includes 2% inflation)
Year 1	0	(\$10,485)	\$0	0	\$0	0	\$0
Year 2	0	(\$10,485)	\$0	0	\$0	0	\$0
Year 3	0	(\$10,485)	\$0	0	\$0	0	\$0
Year 4	0	(\$10,485)	\$0	0	\$0	0	\$0
Year 5	0	(\$10,485)	\$0	0	\$0	0	\$0
Year 6	1	(\$10,485)	(\$11,576)	0	\$0	(1)	(\$11,576)
Year 7	2	(\$10,485)	(\$23,616)	0	\$0	0	(\$23,616)
Year 8	2	(\$10,485)	(\$24,088)	0	\$0	1	(\$24,088)
Year 9	2	(\$10,485)	(\$24,570)	0	\$0	3	(\$24,570)
Year 10	2	(\$10,485)	(\$25,061)	0	\$0	3	(\$25,061)

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.

Officials from the **Office of the State Public Defender (SPD)** state per the National Public Defense Workload Study, the new charge contemplated by this change to Section 568.045, creating a class A felony which could result in life imprisonment, would take approximately ninety-nine hours of SPD work for reasonably effective representation. If one hundred cases were filed under this section in a fiscal year, representation would result in a need for an additional four to five attorneys. Because the number of cases that will be filed under this statute is unknown, the exact additional number of attorneys necessary is unknown. Each case would also result in unknown increased costs in the need for core staff, travel, and litigation expenses.

**Oversight** assumes this proposal will not create the number of new cases required to request additional FTE for the SPD and that the SPD can absorb the additional caseload required by this proposal with current staff and resources.

Therefore, Oversight will reflect no fiscal impact to the SPD for fiscal note purposes. However, if multiple bills pass which require additional staffing and duties, the SPD may request funding through the appropriation process.

Officials from the **Office of Attorney General (AGO)** assume any potential litigation costs arising from this proposal can be absorbed with existing resources. The AGO may seek additional appropriations if the proposal results in a significant increase in litigation or investigation costs.

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

Officials from the **Missouri Office of Prosecution Services** assume the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

#### §578.365 – Danny’s Law

Officials from the **Office of Attorney General (AGO)** assume any potential litigation costs arising from this proposal can be absorbed with existing resources. However, the AGO may seek additional appropriations if the proposal results in a significant increase in litigation or investigation costs.

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

Officials from the **Department of Corrections (DOC)** state this Section enhances the offense of hazing to include “solicits another person to participate in or plan a willful act”, a class A

misdemeanor unless substantial risk of life, then class D felony; also adds former member to the list of persons the hazing is against; specifies a person is not guilty of hazing if they were trying to help. There was only one guilty plea made under this section with a Misdemeanor A penalty in 2024. DOC therefore expects no impact to the department with this change in this section of legislation.

**Oversight** notes on December 24, 2024, President Joe Biden signed into law the Stop Campus Hazing Act. (Source: <https://www.congress.gov/bill/118th-congress/house-bill/5646>)

Officials from the **Department of Higher Education and Workforce Development**, the **Department of Public Safety**, the **Missouri Office of Prosecution Services**, the **Office of the State Courts Administrator**, the **Office of the State Public Defender**, the **Phelps County Sheriff's Department** and the **University of Central Missouri** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

**Oversight** only reflects the responses received from state agencies and political subdivisions; however, other colleges and universities and local law enforcement were requested to respond to this proposed legislation but did not. A listing of political subdivisions included in the Missouri Legislative Information System (MOLIS) database is available upon request.

#### §589.700 – Human Trafficking Offenses

**Oversight** notes the provisions of this section state in addition to any fine imposed for a violation of section 566.203, 566.206, 566.209, 566.210, 566.211, 566.215 or 567.030, the court shall enter a judgment of restitution payable to the Human Trafficking and Sexual Exploitation Fund established under section 589.700, upon a plea of guilty or a finding of guilt for a violation of these sections, excluding restitution ordered under section 566.218, in the following amounts:

- \$10,000 for each identified victim of the offense(s) under section 566.203, 566.206, 566.209, 566.210, or 566.211;
- \$2,500 for each identified victim of the offense(s) under section 567.030; 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 for each identified victim of the offense(s) for any violation under section 566.203, 566.206, 566.209, 566.210, or 566.211, 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;
- \$2,500 for any violation under section 567.030, that occurred in the county toward local rehabilitation services such as mental health and substance abuse counseling; parenting skills, housing relief, vocational training, and employment counseling; and

- \$2,500 toward local efforts to prevent human trafficking such as education programs and increasing the number of local law enforcement members charged with enforcing human trafficking laws.

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

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

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

**DOC** states Section 589.700 establishes a judgment of restitution payable to the human trafficking and sexual exploitation fund for violations of section 566.203, 566.206, 566.209, 566.210, 566.211, 566.215, or 567.030. This fine is manually entered into the Offender Finance System. The additional staff time which will be required to enter the fines is unknown, as there is no way to know how many people found guilty of these offenses would be sentenced and incarcerated to the department. Therefore, the impact to this legislation is an unknown cost.

Officials from the **Office of Administration - Budget and Planning (B&P)** state Section 589.700 establishes human trafficking restitution payable to the Human Trafficking and Sexual Exploitation Fund, potentially impacting TSR.

#### §595.045 – Crime Victims’ Compensation Fund

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

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

Officials from the **Office of the State Courts Administrator** state Section 595.045 includes Class E felonies to the collection of monetary fees to the Crime Victims’ Compensation Fund.

Based on recent case data the inclusion of Class E felonies will result in additional judgments of approximately \$279,000 per year, with an estimated collection of 35% to 60% over three years.

**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 ( $7,545 + 8,407 + 10,575, 10,838 + 10,708$ ). Therefore, for purposes of this fiscal note, Oversight will reflect an impact to the Crime Victims' Compensation Fund of \$442,290 ( $\$46 \times 9,615$ ).

Oversight notes the ending balance in the Crime Victims' Compensation Fund as of December 31, 2024, is \$2,040,252.

Officials from the **Department of Corrections (DOC)** state 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.

This fine is manually entered into the Offender Finance System. The additional staff time which will be required to enter the fines is unknown, 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.

Officials from the **Department of Revenue (DOR)** assume the following regarding Section 595.045:

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

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

Officials from the **Office of Administration - Budget and Planning (B&P)** state Section 595.045.8 expands the application of a current court cost surcharge that generates revenues for the state's Crime Victim Compensation Fund, potentially impacting TSR.

Responses regarding the proposed legislation as a whole

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

Officials from the **Department of Corrections**, the **Department of Social Services**, the **Phelps County Sheriff's Department**, the **Kansas City Police Department** and the **St. Louis County Police Department**, each assumed the proposal would have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

In response to a previous version, officials from the **Branson Police Department** assumed the proposal would have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this agency.

**Oversight** only reflects the responses received from state agencies and political subdivisions; however, other sheriffs' departments, police departments, fire protection districts, emergency services agencies 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.

Rule Promulgation

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

Officials from the **Office of the Secretary of State (SOS)** note many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$5,000. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet

these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with its core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2032)
<b>GENERAL REVENUE FUND</b>				
<u>Transfer Out –To the Safe Place for Newborns Fund</u> (\$210.950) p. 12-13	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<u>Transfer Out - OSCA Appropriation to the Child and Family Legal Representation Fund</u> (\$477.710) p. 14-15	(Unknown)	(Unknown)	(Unknown)	(Unknown)
<u>Savings – DSS – Housing Youth in Out of State Placements and Hospitals</u> (\$210.119.1) p. 10-11	\$0	\$19,813,718	\$19,813,718	\$19,813,718
<u>Costs – DOR - Diaper Bank Tax Credit</u> (\$135.621) p. 9-10	More or less than (\$149,382)	More or less than (\$149,382)	More or less than (\$149,382)	More or less than (\$149,382)
<u>Costs – DSS – to house youth under 4 programs</u> (\$210.119.1) p. 10-11	(\$9,218,844)	(\$6,077,688)	(\$6,077,688)	(\$6,077,688)
<u>Costs – DSS - (\$210.119.1) p. 10-11</u>				
Personnel Service	(\$98,503)	(\$119,386)	(\$120,580)	(\$121,786)
Fringe Benefits	(\$56,953)	(\$68,802)	(\$69,265)	(\$69,958)
One Time E&E	(\$10,342)	\$0	\$0	\$0
On-going Expense & Equipment	(\$13,897)	(\$17,094)	(\$17,521)	(\$17,696)
ITSD Costs	(\$59,591)	(\$11,856)	(\$12,152)	(\$12,274)
<u>Total Costs - DSS</u>	(\$239,286)	(\$217,138)	(\$219,518)	(\$221,714)



<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2032)
FTE Change	1.5 FTE	1.5 FTE	1.5 FTE	1.5 FTE
<u>Costs</u> – DSS – additional costs if judge appoints both a GAL and attorney (§210.119) p. 10-11	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<u>Costs</u> – DOC – potential increase in incarcerations with a change in age from 17 to 18 for (§568.045) p. 17-19	(Unknown)	(Unknown)	(Unknown)	(Unknown)
<u>Costs</u> – CASA Tax Credits - the difference between 50% to 70% contributions (based on a 3-year historical average of redemptions) and expending the cap to \$2.5M from previously set \$1.5M (§135.341) p. 4-6	Could Exceed (\$1,409,627)	Could Exceed (\$1,409,627)	Up to (\$2,500,000)	Up to (\$2,500,000)
<u>Costs</u> – DOC - Increased incarceration costs (§§566.151, 567.030, 568.045) p. 17-19	\$0	\$0	\$0	(\$23,616)
<u>Costs</u> – DOC Manual entry of fines into Offender Finance System (§§589.700 and 595.045) p. 21-23	(Unknown)	(Unknown)	(Unknown)	(Unknown)
<u>Revenue Reduction</u> – Youth Opportunity Program YOP (change in credit from 50% to 70%) (§135.460) p. 6-8	Could exceed (\$1,170,759)	Could exceed (\$1,170,759)	Could exceed (\$1,170,759)	Could exceed (\$1,170,759)
<b>ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND</b>	<b>Could exceed (\$12,187,898)</b>	<b>Less than \$10,789,124</b>	<b>Less than \$9,696,371</b>	<b>Less than \$9,670,559</b>

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2032)
Estimated Net FTE Change to the General Revenue Fund	1.5 FTE	1.5 FTE	1.5 FTE	1.5 FTE
<b>CHILD AND FAMILY LEGAL REPRESENTATION FUND</b>				
<u>Income</u> – Gifts, grants, bequests, or contributions (§477.705) p. 14-15	Unknown	Unknown	Unknown	Unknown
<u>Transfer In</u> – Appropriation from General Revenue (§477.710) p. 14-15	Unknown	Unknown	Unknown	Unknown
<u>Costs</u> – admin costs and distributions from the Child and Family Legal Representation Coordinating Board to various judicial circuits (§477.710) p. 14-15	(Unknown)	(Unknown)	(Unknown)	(Unknown)
<b>ESTIMATED NET EFFECT ON THE CHILD AND FAMILY REPRESENTATION FUND</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
<b>CRIME VICTIMS' COMPENSATION FUND (0681)</b>				
<u>Revenue</u> – DPS Class E felony fee (\$46 per) (§595.045) p. 21-23	<u>\$442,290</u>	<u>\$442,290</u>	<u>\$442,290</u>	<u>\$442,290</u>

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2032)
<b>ESTIMATED NET EFFECT ON THE CRIME VICTIMS' COMPENSATION FUND</b>	<b><u>\$442,290</u></b>	<b><u>\$442,290</u></b>	<b><u>\$442,290</u></b>	<b><u>\$442,290</u></b>
<b>HUMAN TRAFFICKING AND SEXUAL EXPLOITATION FUND</b>				
<u>Revenue</u> - Restitution for each county in which the offense(s) occurred (§589.700) p. 20-21	Unknown	Unknown	Unknown	Unknown
<u>Transfer Out – To Counties</u> (§589.700) p. 20-21	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
<b>ESTIMATED NET EFFECT ON THE HUMAN TRAFFICKING AND SEXUAL EXPLOITATION FUND</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
<b>SAFE PLACE FOR NEWBORNS FUND</b>				
<u>Transfer In</u> - (§210.950) From General Revenue Fund p. 12-13	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Income</u> – (§210.950) From Gifts, Contributions, Grants, Bequests, etc. p. 12-13	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Transfer Out</u> - Disbursed to entities that install incubators (§210.950) p. 12-13	\$0 to <u>(Unknown)</u>	\$0 to <u>(Unknown)</u>	\$0 to <u>(Unknown)</u>	\$0 to <u>(Unknown)</u>

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2032)
<b>ESTIMATED NET EFFECT ON THE SAFE PLACE FOR NEWBORNS FUND*</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
<b>STATE FACILITY MAINTENANCE AND OPERATION FUND (0501)</b>				
<u>Costs – OA, FMDC (§ 210.119) p. 11</u>				Could exceed
Personal service	\$0	\$0	(\$87,169)	(\$87,169)
Fringe benefits	\$0	\$0	(\$50,729)	(\$50,729)
Equipment and expense – One time	\$0	\$0	(\$76,985)	(\$76,985)
Location study & building costs	\$0	\$0	Likely to exceed (\$245,358)	Likely to exceed (\$245,358)
Fuel & utilities at the location	<u>\$0</u>	<u>\$0</u>	(Unknown)	(Unknown)
<u>Total Costs - OA, FMDC</u>	<u>\$0</u>	<u>\$0</u>	Likely to exceed (\$460,241)	Likely to exceed (\$460,241)
FTE Changes	0 FTE	0 FTE	1 FTE	1 FTE
<b>ESTIMATED NET EFFECT ON THE STATE FACILITY MAINTENANCE AND OPERATION FUND</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b>Likely to exceed (\$460,241)</b>	<b>Likely to exceed (\$460,241)</b>
Estimated Net FTE Change on the State Facility Maintenance and Operation Fund	0 FTE	0 FTE	1 FTE	1 FTE

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2032)
<b>FEDERAL FUNDS</b>				
Program Reimbursement	Unknown, more or less than \$239,290	Unknown, more or less than \$2,721,429	Unknown, more or less than \$2,723,810	Unknown, more or less than \$2,726,003
<u>Savings</u> – DSS – Housing Youth in Out of State Placements and Hospitals (§210.119.1) p. 10-11	\$0	\$8,938,023	\$8,938,023	\$8,938,023
<u>Costs</u> – DSS – to house youth under 4 programs (§210.119.1) p.10-11	\$0	(\$11,442,312)	(\$11,442,312)	(\$11,442,312)
<u>Costs</u> – DSS - (§210.119.1) p. 10-11				
Personnel Service	(\$98,504)	(\$119,387)	(\$120,580)	(\$121,786)
Fringe Benefits	(\$56,954)	(\$68,803)	(\$69,266)	(\$69,958)
One Time E&E	(\$10,342)	\$0	\$0	\$0
On-going Expense & Equipment	(\$13,898)	(\$17,094)	(\$17,522)	(\$17,696)
ITSD Costs	(\$59,592)	(\$11,856)	(\$12,153)	(\$12,274)
<u>Total Costs</u> - DSS	(\$239,290)	(\$217,140)	(\$219,521)	(\$221,714)
FTE Change	1.5 FTE	1.5 FTE	1.5 FTE	1.5 FTE
<u>Costs</u> – DSS – additional costs if judge appoints both a GAL and attorney (§210.119) p. 10-11	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
Estimated Net FTE Change on Federal Funds	1.5 FTE	1.5 FTE	1.5 FTE	1.5 FTE

<u>FISCAL IMPACT – Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2032)
<b>LOCAL POLITICAL SUBDIVISIONS</b>				
<u>Transfer In</u> - Reimbursement from the Safe Place for Newborns Fund to install incubators (§210.950) p. 12-13	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Transfer In</u> – To Counties from Human Trafficking and Sexual Exploitation Fund (§589.700) p. 20-21	Unknown	Unknown	Unknown	Unknown
<u>Costs</u> (Counties) – potential child attorney or GAL costs (§210.119) p. 10-11	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<u>Costs</u> - Human trafficking prevention (§589.700) p. 20-21	(Unknown)	(Unknown)	(Unknown)	(Unknown)
<b>ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS</b>	<b>Unknown to (Unknown)</b>	<b>Unknown to (Unknown)</b>	<b>Unknown to (Unknown)</b>	<b>Unknown to (Unknown)</b>

FISCAL IMPACT – Small Business

Small businesses that qualify for the credit may be positively impacted as a result of this proposal. (§135.460)

FISCAL DESCRIPTION

## CHAMPION FOR CHILDREN TAX CREDIT (Section 135.341)

Current law authorizes a tax credit for contributions made to Court-Appointed Special Advocate entities (CASAs), child advocacy centers, and crisis care centers, as those terms are defined in the bill, with such tax credit equal to 50% of the contribution. For all tax years beginning on or after January 1, 2025, this bill increases the credit to 70% of the contribution and provides that a tax payer will not be allowed to claim a credit in excess of \$50,000 in any tax year.

Additionally, the current maximum amount of tax credits that can be authorized for contributions made to qualified agencies must not exceed \$1.5 million. This bill increases the maximum amount to \$2.5 million for all fiscal years beginning on or after July 1, 2025.

Currently, if a taxpayer is denied a tax credit because of a lack of available funds, and that denial results in a balance owed to the State, the taxpayer has 60 days from the notice of denial to make payment arrangements. If the balance is not paid within 60 days from the notice, the remaining balance will be due and payable in the same manner as personal income tax.

This bill states that if a full or partial denial of a tax credit because the cumulative maximum amount of credits has already been redeemed results in an income tax balance owed to the State, the taxpayer will not be held liable for any additional tax, penalty, or interest on that income tax balance due, provided that payment arrangements are made within 60 days from the issuance of the notice of the credit denial.

The bill repeals the provision stating that if the balance is not paid within 60 days from the notice, the remaining balance will be treated as personal income tax.

Finally, this bill reauthorizes and extends the expiration of the tax credit to December 31, 2031.

#### YOUTH OPPORTUNITIES AND VIOLENCE PREVENTION ACT (Section 135.460)

Current law authorizes a tax credit in the amount of 50% of contributions made to certain youth programs. This bill increases the tax credit to 70% of the amount of contributions made.

#### CONTRIBUTIONS TO DIAPER BANKS TAX CREDIT (Section 135.621)

This bill reauthorizes the provisions of the "Diaper Bank Tax Credit" by extending the sunset date to December 31, 2031.

The bill expands the definition of a "diaper bank" to include the term national diaper bank, as described in the bill.

#### CHILDREN'S DIVISION SERVICE PROVIDER CONTRACTS (Section 210.112)

Under this bill, provisions in service provider contracts with Children's Division in which the State is indemnified, held harmless, or insured for damages, claims, losses, or expenses arising from any injury caused by or resulting from the State's negligence, in whole or in part, must be void as against public policy and unenforceable.

#### SERVICES FOR YOUTH (Section 210.119)

This bill requires the Department of Social Services to establish a program to provide a comprehensive system of service delivery, education, and residential care for youth with severe

behavioral challenges. To be eligible for the program, a youth must be under 21 years of age and in the custody of children's division within the Department of Social Services, and a team in the Department must have made a determination that the needs of the youth cannot be met with existing State programs.

The Department will have the authority to contract with qualified service providers to provide services to the youth under this bill. Such service providers must be: certified, licensed, or accredited in their respective fields of service; based in Missouri; and entities with proven experience in the areas for which they will provide services.

A qualified service provider providing services under this bill will have immunity as specified in the bill.

The Department will be authorized to enter into memoranda of understanding with any facility or campus under state ownership that is appropriate for the program and youth being served.

No qualified service provider will be liable for damages for any services provided under a contract entered into under this provision if such services or duties are performed in good faith and without gross negligence. In no case will a qualified service provider be immune for abuse or neglect of a child.

#### CHILD ABUSE INVESTIGATIONS (Section 210.145)

Under this bill, if Children's Division is responding to an investigation of abuse or neglect of a child, the person responding must first ensure the safety of the child through direct observation and communication with the child. If the parent or alleged perpetrator is present during the investigation, the responding person must present identification and verbally identify himself or herself and his or her role in the investigation and must inform the child's parent or the alleged perpetrator of his or her rights during the visit. The parent must be given a reasonable amount of time to read such notice or have such notice read to him or her by the case worker before the visit commences but must not exceed five minutes. If the child faces immediate threat or danger, exceptions will apply.

If the Division is responding to an assessment of abuse or neglect, the person responding must present identification and verbally identify himself or herself and his or her role in the investigation prior to the child being interviewed.

#### REPRESENTATION BY COUNSEL (Sections 210.160, 210.560, 210.565, 210.762, 211.032, 211.211, 211.261, 211.462, 477.700, 477.705, 477.710, and 477.715)

Beginning January 1, 2028, and subject to a specific appropriation for this purpose, unless operating under a pilot project established by the Missouri Supreme Court, a judge must appoint a child's counsel instead of a guardian ad litem (GAL) for children in certain abuse or neglect proceedings who are at least 14 but less than 18 years of age.



This bill creates the "Child and Family Legal Representation Coordinating Commission" within the judicial branch, with nine members appointed by the Chief Justice of the Missouri Supreme Court and specifies the requirements for appointment.

Duties are described in the bill and include making recommendations to the Missouri Supreme Court concerning the establishment or modification of minimum training requirements and practice standards for attorneys serving as GALs, children's counsel, or parent's counsel. The Commission can also develop, coordinate, and evaluate pilot projects relating to GALs, children's counsel, or parents' counsel and outcomes relating to the various models of representation, as well as implementation of the children's counsel appointment provisions of this bill.

The bill creates the "Child and Family Legal Representation Fund" in the State Treasury, to be distributed by the Coordinating Commission to the judicial circuits for the purpose of improving or providing high-quality legal representation for children or families, including the appointment of GALs, children's counsel, or parents' counsel. Under this bill, a circuit can participate in a pilot project established by the Missouri Supreme Court relating to GALs, children's counsel, or parents' counsel, in which case a judge can appoint a child's counsel instead of a GAL. This provision will expire on January 1, 2028.

#### NEWBORN SAFETY INCUBATORS (Section 210.950)

Currently, newborn safety incubators are authorized to be installed in certain locations for a relinquishing parent to leave a newborn child, up to 45 days of age, without fear of prosecution. This bill modifies the age limit of a newborn infant that may be brought to a newborn safety incubator from 45 days old to 90 days old.

Additionally, the bill creates the "Safe Place for Newborns Fund", and provides that the State will match moneys from the General Revenue Fund, in the amount of up to \$10,000 per installation of newborn safety incubators.

#### JUVENILE COURT PROCEEDINGS (Sections 211.033, 211.071, 211.072, 219.021, and 221.044)

This bill applies provisions related to the filing of petitions to transfer a juvenile to a court of general jurisdiction when a juvenile is accused of an offense to motions to modify.

Additionally, if a juvenile who has been certified as an adult and is awaiting trial is ordered to be released from an adult jail following a transfer order and is subsequently detained on a violation of the conditions of release or bond, the juvenile must return to the custody of the adult jail pending further court order. An extension must be granted to hold a juvenile in an adult jail for longer than 180 days. If an extension is granted, this bill requires the court to hold a hearing

every 30 days to determine whether the placement of the juvenile in an adult jail is still in the best interests of justice.

Currently, when a juvenile turns 18 or is convicted of adult charges, the juvenile must be transferred from juvenile detention to an adult facility. This bill applies this requirement to when a juvenile pleads guilty as well.

The bill requires county jail staff to designate a liaison who will be assigned to each juvenile who is awaiting trial in a juvenile detention facility and who has been certified as an adult. The liaison will assist in communication with the facility on the needs of the juvenile. Currently, the Division of Youth Services cannot keep any youth beyond his or her 18th birthday. This bill increases that to a youth's 19th birthday.

As specified in this bill, if a person is 18 years old or older or turns 18 while in juvenile detention, upon a motion filed by a juvenile officer, the court can order that the person in juvenile detention be detained in an adult jail or other adult detention facility until the disposition of that person's juvenile court case.

#### USE OF RESTRAINTS ON A CHILD IN JUVENILE COURT (Section 211.436)

This bill prohibits the use of instruments of restraint on a child during a juvenile court proceeding and it requires the restraints to be removed prior to the child's appearance before the court, unless the court finds that certain exceptions, specified in the bill, apply. If the juvenile officer believes there is an immediate safety or flight risk, the juvenile officer must advise the child's attorney and make a written request, prior to the commencement of the proceeding, for the child to remain restrained during the proceeding. The child's attorney will have an opportunity to be heard and, if restraints are ordered, the court will make findings of fact in support of the order.

#### AGE OF MARRIAGE (Sections 451.040, 451.080, and 451.090)

Currently, a marriage license cannot be issued in Missouri for individuals under 16 years of age or issued when one party to the marriage is under 18 years of age and the other party is over 21 years of age. Additionally, no marriage license can be issued if any party to the marriage is under 18 years of age without parental consent.

This bill repeals those provisions so no marriage license can be issued in Missouri for individuals under 18 years of age.

#### ADMISSIBILITY OF EVIDENCE IN CRIMINAL CASES (Sections 491.075 and 492.304)

Currently, a statement made by a child under 14 years of age that would otherwise be inadmissible in court, including a visual and an aural recording of a verbal or nonverbal

statement of that child, is admissible in court in matters relating to offenses under Chapter 565, 566, 568, or 573.

This bill changes the age to children under 18 years of age. The bill also adds that a visual and an aural recording of a verbal or nonverbal statement of a "vulnerable person", as defined in the bill, is also admissible when relating to an offense under Chapter 565, 566, 568, or 573. These provisions of a delayed effective date of August 28, 2026.

#### CIVIL ACTIONS FOR CHILDHOOD SEXUAL ABUSE (Section 537.046)

This bill modifies the offenses included in the definition of "childhood sexual abuse" for civil actions to recover damages from injury or illness caused by childhood sexual abuse. The bill will apply to any action arising on or after August 28, 2025.

This bill also provides that a nondisclosure agreement by any party to a childhood sexual abuse action must not be judicially enforceable in a dispute involving childhood sexual abuse allegations or claims and will be void.

#### SEXUAL OFFENSES (Sections 566.151 and 567.030)

This bill also modifies the offense of enticement of a child by increasing the age of the victim from less than 15 years of age to less than 17 years of age. The bill modifies the penalty provisions for the offense of patronizing prostitution. Currently, the penalty distinctions are for victims older than 14 years of age and 14 or younger. This bill increases the age from 14 to 15 years old and modifies the offense of patronizing prostitution if the individual being patronized is 15 years of age or younger from a class D felony to a class B felony.

#### ENDANGERING THE WELFARE OF A CHILD IN THE FIRST DEGREE (Section 568.045)

Currently, a person commits the offense of endangering the welfare of a child in the first degree if he or she knowingly engages in sexual conduct with a person under the age of 17 years over whom the person is a parent, guardian, or otherwise charged with the care and custody of the child. This bill changes the age of the child from under 17 to under 18 years of age.

#### COLLEGE OR UNIVERSITY HAZING (Section 578.365)

This bill provides that the offense of hazing will be known as "Danny's Law" and provides that a person must be found guilty of the offense of hazing if a person knowingly, actively, and not under duress, participates in, solicits another person to participate in, or causes or plans a willful act that endangers a student or certain members of organizations under the sanction of a public or private college or university.

This bill provides that a person will not be guilty of the offense of hazing if the person establishes that he or she:

- (1) Was present at the event where hazing occurred and a person was in need of immediate medical assistance;
- (2) Was the first person to call 911 or campus security to report the need for medical attention;
- (3) Provided the relevant information to the 911 operator or campus security; and
- (4) Remained at the scene until medical assistance arrived and cooperated with such assistance.

Additionally, this bill provides that a person is immune from prosecution if the person can establish he or she rendered aid to the hazing victim before assistance arrived.

#### HUMAN TRAFFICKING AND SEXUAL EXPLOITATION FUND (SECTION 589.700)

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

The county will allocate \$10,000, or \$2,500 if the offense for which the restitution was assessed was patronizing prostitution, toward local rehabilitation of human trafficking victims and \$2,500 toward local education programs for convicted human trafficking offenders and to increase the number of law enforcement officers to enforce human trafficking laws.

#### CRIME VICTIMS' COMPENSATION FUND (SECTION 595.045)

Currently a fee of \$46 is payable to the Crime Victims' Compensation Fund by a person who pleads to or is found guilty of a Class C or D felony. This bill adds a class E felony to the list of offenses required to pay the \$46 fee.

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

#### SOURCES OF INFORMATION

Office of Administration - Budget and Planning  
Office of the State Courts Administrator  
Department of Social Services  
Office of the State Treasurer  
Department of Commerce and Insurance

Attorney General's Office  
Department of Elementary and Secondary Education  
Department of Mental Health  
Department of Higher Education and Workforce Development  
Office of the State Public Defender  
Missouri House of Representatives  
Missouri Senate  
Joint Committee on Administrative Rules  
Missouri Office of Prosecution Services  
Department of Health and Senior Services  
Department of Corrections  
Department of Public Safety  
Department of Revenue  
Office of the Secretary of State  
Mississippi County Recorder of Deeds Office  
Concordia R-II School District  
Phelps County Sheriff  
University of Central Missouri  
St. Louis County Police Department  
Kansas City Police Department  
Branson Police Department  
Fruitland Area Fire Protection District



Julie Morff  
Director  
June 25, 2025



Jessica Harris  
Assistant Director  
June 25, 2025