

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1219S.01I
 Bill No.: SB 44
 Subject: Children and Minors; Cities, Towns, and Villages; Crimes and Punishment; Drugs and Controlled Substances; Education, Elementary and Secondary; Law Enforcement Officers and Agencies; Motor Vehicles; Public Safety, Department Of; Search and Seizure
 Type: Original
 Date: January 22, 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 2034)
General Revenue*	Unknown to (Could exceed \$222,923)	Unknown to (Could exceed \$256,673)	Unknown to (Could exceed \$455,089)	Unknown to (Could exceed \$3,758,224)
Total Estimated Net Effect on General Revenue	Unknown to (Could exceed \$222,923)	Unknown to (Could exceed \$256,673)	Unknown to (Could exceed \$455,089)	Unknown to (Could exceed \$3,758,224)

***Oversight** notes the impact of this proposal includes implementation cost to DOR for updates to the Driver’s License Bureau, DOC incarceration costs and changes to liability claims eligible for payment under §105.711 paid by such boards on an equal share basis per claim, as well as the State taking ownership of contractual obligations of the SLPD (including liability).

ESTIMATED NET EFFECT ON OTHER STATE FUNDS				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2034)
Highway Fund (0644)**	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
Legal Expense Fund (0692)*	\$0	\$0	\$0	\$0
Total Estimated Net Effect on <u>Other State Funds</u>	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown

*Cost avoidance and reduction in contributions net to zero.

**Oversight does not anticipate the reinstatement fees to exceed \$250,000.

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2034)
Total Estimated Net Effect on <u>All Federal Funds</u>	\$0	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2034)
General Revenue	0 FTE	0 FTE	1 FTE	(4 FTE)
Total Estimated Net Effect on FTE	0 FTE	0 FTE	1 FTE	(4 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 2034)
Local Government*	More or Less than (\$8,500,000)	More or Less than (\$8,500,000)	More or Less than (\$8,500,000)	More or Less than (\$8,500,000)

*Oversight notes the \$8,500,000 cost represents an additional 121 uniformed patrol officers needed to reach the 1,313 uniformed patrol officers per §§84.100 & 84.150 of this proposal.

FISCAL ANALYSIS

ASSUMPTION

Due to time constraints, **Oversight** was unable to receive some agency responses in a timely manner and performed limited analysis. Oversight has presented this fiscal note on the best current information that we have or on information regarding a similar bill(s). Upon the receipt of agency responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval to publish a new fiscal note.

§§84.012, 84.020, 84.030, 84.100, 84.150, 84.160, 84.170, 84.225, 84.325 & 105.726 – Board of Police Commissioners (St. Louis City Police Department)

Officials from the **Office of Administration (OA)** assume §84.325 makes provisions for a board of police commissioners assuming control of a municipal police force. This bill contains language about the state taking responsibility and ownership of contractual and other lawful obligations of the municipal police department. This could have some fiscal impact for the State, but would be subject to judicial construction, so the impact is unknown.

OA also assumes §105.726.3 adds the provision that reimbursement from the Legal Expense Fund (LEF) is on an equal share basis per claim up to a maximum of one million dollars per fiscal year. This change has the potential to avoid costs to the LEF. The maximum amount to be reimbursed remains unchanged with this legislation. The number of successful claims is unknown; therefore, the potential cost avoidance is also unknown.

Oversight does not have any information contrary to that provided by OA. Therefore, Oversight will reflect OA's potential unknown impact to the State Legal Expense Fund. Oversight notes the Legal Expense Fund is funded by the General Revenue Fund as well as other state funds. For simplicity, Oversight will show the cost avoidance to General Revenue.

Oversight also assumes, if the state takes responsibility and ownership of contractual and other lawful obligations of the municipal police department, there could be an impact to the state. Oversight will reflect a potential unknown cost starting FY 2026.

Officials from the **City of St. Louis** assume the proposed legislation would seek to reverse the assumption of local control of the City Police department that became effective on September 1, 2013. Aside from various operational considerations, the proposed legislation contains several provisions that would increase the cost of operations of the department and thus have a negative fiscal impact on the City and its ability to fund the department.

The legislation is unclear as to a proposed increase in staffing levels of the department. In one provision, the bill states that the number of patrolmen to be appointed shall not be less than 1,313. In a subsequent provision in the bill, the language establishes a maximum number of officers in the police force as follows: 76 commissioned officers at lieutenant and above; 200

commissioned officers at rank of sergeant; and 1,037 commissioned officers at the rank of patrolman (total of 1,313). This language appears to be in direct conflict with the forementioned requirement of no less than 1,313 patrolmen shall be appointed. (**Oversight** notes this is per §§84.100 & 84.150.)

In the FY25 budget, the number of authorized uniformed positions (excluding trainees and grant funded positions) totaled 1,192. Assuming the 1,313 requirement total, this would be an increase of 121 in authorized uniformed positions. An increase of this level would cost approximately \$8.5 million per year including pay and benefits. Despite the proposed legislation's use of the words "shall employ" or "to be appointed", the ability to actually fill such positions would remain questionable.

The proposed legislation is also uncertain as to the impact of the assignment of debt and assets of the department. It proposes to "convey, assign and otherwise transfer to the board title and ownership of all indebtedness and assets ...held in the name of or controlled by the municipal police department." Through the City's Municipal Finance Corporation the City has existing debt in the form of Leasehold Revenue and Improvement Bonds for facilities of the Police Department. Assignment of these assets which serve as the security for these bonds may be a violation of the existing indenture agreement.

In addition, the proposed legislation would also remove existing civilian and uniform employees of the Police Department from the City's civil service system. Under the civil service system these employees have certain rights of employment which would be no longer guaranteed under a state controlled board. The costs of any litigation stemming from this abrogation of employment rights cannot be determined.

While the legislation proposes returning control of the Police Department to a state controlled Board of Police Commissioners, the legal liability coverage provided by the State remains limited and in no event would exceed \$1 million per year in the aggregate. This is far less than the additional costs to be incurred as a result of other provisions in the bill.

If the legislation is enacted and the State mandates that the City provide funding for a newly constituted police department operated under a state controlled board of police commissioners, it is possible court may find the law falls under the police funding exemption under Missouri Constitution, Article X, Section 21, commonly referred to as the Hancock Amendment. While the Hancock Amendment prevents the state from compelling municipalities to fund new or increased activities or services, in November 2022 voters approved a ballot initiative allowing the Missouri legislature to force municipalities to fund increases in police funding through December 31, 2026.

Article I, Section 21, currently states the following:

1. A new activity or service or an increase in the level of any activity or service beyond that required by existing law shall not be required by the general assembly or any state agency

of counties or other political subdivisions, unless a state appropriation is made and disbursed to pay the county or other political subdivision for any increased costs.

2. Notwithstanding the foregoing prohibitions, before December 31, 2026, the general assembly may by law increase minimum funding for a police force established by a state board of police commissioners to ensure such police force has additional resources to serve its communities.

It is possible that a Missouri court in 2023 or beyond would find that this language does compel the City of St. Louis to fund new activities or services pertaining to a newly constituted police department, at least through December 31, 2026. Litigation would determine the outcome of this expense and if the City or the State would need to absorb this cost.

Oversight also assumes per §84.100 that the number of patrolmen to be appointed shall not be less than 1,313. St. Louis City states according to the FY25 budget, there are a total of 1,192 uniformed positions budgeted. St. Louis City states to meet the required 1,313 patrolmen positions, another 121 positions at a cost of \$8.5 million would need to be added. Therefore, Oversight will reflect an additional cost to St. Louis City that is up to \$8.5 million per fiscal year including pay and benefits for this proposal.

In response to similar legislation, SB 52 (2025), officials from the **Office of Administration - Budget and Planning (B&P)** assumed §84.225 creates a \$1,000 penalty for any mayor or city official who attempts to impede or hinder the Board of Commissioners. To the extent any related fines or penalties are deposited in the state treasury, TSR may be impacted.

Section 84.325.2 and .3 l transfers certain assets, contractual obligations, indebtedness, and other lawful obligations from the St. Louis Police Department to the state. This expressly excludes any funds held by the city in the name of, for the benefit of, or for future contribution to any police pension system created under chapter 86. B&P does not have any information on what, if any, assets or obligations might be transferred. The state could risk picking up significant debt obligations.

Oversight notes in §84.325, subdivisions 1 through 3, state on August 28, 2025, the Board of Police Commissioners shall assume control of any municipal police force established in any city not within a county, which, at this time, is only St. Louis City. Upon such assumption, any municipal police force within St. Louis City shall transfer to the Board title and ownership of all debts and assets, and the state shall accept responsibility, ownership, and liability as successor-in-interest for contractual obligations, debts, and other lawful obligations of the municipal police forces established in St. Louis City.

In response to similar legislation from this year, HB 495, officials from the **Office of Attorney General (AGO)** assumed any potential litigation costs arising from this proposal can be absorbed with existing resources. However, the AGO may seek additional appropriations if the proposal results in a significant increase in litigation or investigation.

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.

§§304.012, 304.145, 556.061, 568.045, 574.050, 575.150 & 590.208 – Crimes Involving Stunt Driving, Endangering the Welfare of a Child in the First Degree and Rioting

Officials from the **Department of Corrections (DOC)** state the following:

§§304.012 & 304.145 – Stunt Driving

Section 304.145 creates definitions and penalties relating to street racing. Violation of this section is a class A misdemeanor for the first offense, a class E felony for a second offense, and a class D felony for a third or subsequent offense.

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 E and D 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 and D felony for this section.

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	9	9	9	9	9	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 could be served in prison with 1.7 years to first release. The remaining 2.2 years could be on parole. Probation sentences could be 3 years.

The cumulative impact on the department is estimated to be 8 additional offenders in prison and 22 additional offenders on field supervision by FY 2030.

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

§§556.061 & 568.045 – Endangering the Welfare of a Child in the First Degree

The bill adds “endangering the welfare of a child in the first degree” to the list of sentences defined as dangerous felonies in section 556.061. This introduces the requirement that any new court commitment or probation revocation to prison on a sentence under section 568.045 could 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										

The bill adds language in section 568.045 specific to 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.

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 B felony.

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

§574.050 - Rioting

Section 574.050 modifies the definition of rioting and modifies the penalty for rioting from a class A misdemeanor to a class D felony and makes a second or subsequent conviction of rioting a class C felony.

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 D and C 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 D and C felony for this section.

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 could be served in prison with 1.7 years to first release. The remaining 2.2 years could be on parole. Probation sentences could be 3 years.

The cumulative impact on the department is estimated to be 8 additional offenders in prison and 22 additional offenders on field supervision by FY 2030.

Change in prison admissions and probation openings with legislation-Class D Felony (nonviolent)

	FY2026	FY2027	FY2028	FY2029	FY2030	FY 2031	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	0	0	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 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.

The cumulative impact on the department is estimated to be 15 additional offenders in prison and 31 additional offenders on field supervision by FY 2032.

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	1	5	9	13	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

Combined Cumulative Estimated Impact of SB 44 (1219S.011)

The combined cumulative estimated impact on the department is 336 additional offenders in prison and 212 fewer offenders on field 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	167	167	167	167	167	167	167	167	167	167
Probation										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	18	18	18	18	18	18	18	18	18	18
Change (After Legislation - Current Law)										
Admissions	12	12	12	12	12	12	12	12	12	12
Probations	18	18	18	18	18	18	18	18	18	18
Cumulative Populations										
Prison	12	24	33	37	38	39	87	243	336	336
Parole	0	0	3	10	20	24	-19	-174	-266	-266
Probation	18	36	54	54	54	54	54	54	54	54
Impact										
Prison Population	12	24	33	37	38	39	87	243	336	336
Field Population	18	36	57	64	74	78	35	-120	-212	-212
Population Change	30	60	90	101	112	117	122	123	124	124

	# 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	12	(\$10,485)	(\$104,850)	0	\$0	18	(\$104,850)
Year 2	24	(\$10,485)	(\$256,673)	0	\$0	36	(\$256,673)
Year 3	33	(\$10,485)	(\$359,983)	1	(\$95,106)	57	(\$455,089)
Year 4	37	(\$10,485)	(\$411,690)	1	(\$87,602)	64	(\$499,292)
Year 5	38	(\$10,485)	(\$431,273)	1	(\$88,533)	74	(\$519,807)
Year 6	39	(\$10,485)	(\$451,475)	1	(\$89,477)	78	(\$540,952)
Year 7	87	(\$10,485)	(\$1,027,279)	0	\$0	35	(\$1,027,279)
Year 8	243	(\$10,485)	(\$2,926,682)	(2)	\$182,789	(120)	(\$2,743,893)
Year 9	336	(\$10,485)	(\$4,127,705)	(4)	\$369,481	(212)	(\$3,758,225)
Year 10	336	(\$10,485)	(\$4,210,259)	(2)	\$191,552	(212)	(\$3,836,831)

* 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.

Officials from the **DOC** assume \$575.150 for the Offense of Resisting Arrest to 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.

Officials from the **Department of Revenue (DOR)** assumes the following:

Administrative Impact

DOR anticipates convictions received under these new violations would be considered moving violations and assess points. The proposed language does not define points to be applied to the driver record, so DOR anticipates assessing based on prior standards, which is two points for any misdemeanor conviction, and twelve points for any felony conviction.

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

- Complete programming and user acceptance testing of FUSION to develop new conviction codes and map the new codes to charge codes and AAMVA ACD codes;
- Work with the Office of State Court Administrators (OSCA) to develop new charge codes to correspond with the new violations;
- Update FUSION point suspension and revocation evaluation routines;
- Test programs for inbound and outbound conviction processing and driver history eligibility evaluations;
- Update interactive applications for automated responses to customers through telephone system (current vendor Genesys) or online (DORA);
- Update the Department website;
- Update forms, letters and procedures; and
- Update the Missouri Driver Guide.

FY 2026 – Driver License Bureau

Research/Data Analyst 400 hrs. x \$28.75 per hr. = \$11,500
Research/Data Assistant 400 hrs. x \$19.29 per hr. = \$ 7,716
Administrative Manager 200 hrs. x \$31.21 per hr. = \$ 6,242
Total = \$25,458

FY2026- Strategy and Communications Office

Associate Research/Data Analyst 80 hrs. x \$23.04 per hr. = \$1,843
Research/Data Assistant 40 hrs. x \$19.29 per hr. = \$ 772
Total = \$2,615

FY 2026 – System Impact

FUSION programming 400 hrs. x \$225.00 per hr. = \$90,000

Total: \$118,073

Revenue Impact

The proposed legislation may result in an unknown increase of reinstatement fees associated with the point accumulation actions added to records. DOR is unable to estimate the amount of potential revenue increase. Reinstatement Fees collected are distributed 75% Highway Fund, 15% Cities, and 10% Counties.

Oversight does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by the DOR.

Officials from the **Office of the State Public Defender (SPD)** state according to the National Public Defense Workload Study, the new charge contemplated by the change to Section 304.145 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 create a minimal number of new cases 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.

Responses regarding the proposed legislation as a whole

Officials from the **Office of Administration - Administrative Hearing Commission, the Department of Commerce and Insurance, the Department of Economic Development, the**

Department of Elementary and Secondary Education, the Department of Higher Education and Workforce Development, the Department of Health and Senior Services, the Department of Mental Health, the Department of Natural Resources, the Department of Labor and Industrial Relations, the Department of Public Safety (Division of Alcohol and Tobacco Control, Capitol Police, Fire Safety, Office of the Director, Missouri Gaming Commission, Missouri Highway Patrol, Missouri Veterans Commission, State Emergency Management Agency), the Department of Social Services, the Office of the Governor, the Missouri Department of Agriculture, the Missouri Department of Conservation, the Missouri Ethics Commission, the MoDOT & Patrol Employees' Retirement System, the Missouri Department of Transportation, the Missouri National Guard, the Petroleum Storage Tank Insurance Fund, the University of Missouri System, Kansas City, Phelps County Sheriff's Office, the Kansas City Police Department, the Office of the State Auditor, the Missouri House of Representatives, the Joint Committee on Education, the Joint Committee on Public Employee Retirement, Legislative Research, the Oversight Division, the Missouri Senate, Missouri Lottery Commission, the Missouri Consolidated Health Care Plan, the Missouri Office of Prosecution Services, the Missouri State Employee's Retirement System, the State Tax Commission and Joint Committee on Administrative Rules 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 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.

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

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2034)
GENERAL REVENUE				
<u>Costs – DOC (§§304.145, 556.061, 568.045 & 574.050) – increase in incarcerations pg. 12</u>	(\$104,850)	(\$256,673)	(\$359,983)	(\$4,127,705)
<u>Costs/Savings – DOC (§§304.145, 556.061, 568.045 & 574.050) pg. 12</u>				
Personnel Service	\$0	\$0	(\$47,776)	\$202,860
Fringe Benefits	\$0	\$0	(\$35,258)	\$149,708
Expense & Equipment	<u>\$0</u>	<u>\$0</u>	<u>(\$12,072)</u>	<u>\$16,913</u>
<u>Total Costs - DOC</u>	<u>\$0</u>	<u>\$0</u>	<u>(\$95,106)</u>	<u>\$369,481</u>
FTE Change	0 FTE	0 FTE	1 FTE	(4 FTE)
<u>Costs – DOR §§304.012 & 304.145 – various updates pg. 14</u>				
Driver License Bureau Personnel Service	(\$25,458)	\$0	\$0	\$0
Strategy & Communications Office Personnel Service	(\$2,615)	\$0	\$0	\$0
FUSION programming	<u>(\$90,000)</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>Total Costs - DOR</u>	<u>(\$118,073)</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>Cost Avoidance – OA (§105.726) Reduction in the amount of claims paid (equal share basis compared to current law) pg. 4</u>	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Costs – OA (§84.325) taking ownership of contractual obligations of the SLPD (including liability) pg. 4</u>	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>	<u>\$0 to (Unknown)</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE	Unknown to (Could exceed \$222,923)	Unknown to (Could exceed \$256,673)	Unknown to (Could exceed \$455,089)	Unknown to (Could exceed \$3,758,224)

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2034)
Estimated Net FTE Change on General Revenue	0 FTE	0 FTE	1 FTE	(4 FTE)
HIGHWAY FUND (0644)				
<u>Revenue – DOR – increase in reinstatement fees associated with point accumulation actions added to records at 75% §§304.012 & 304.145 pg. 14</u>	<u>\$0 to Unknown</u>	<u>\$0 to Unknown</u>	<u>\$0 to Unknown</u>	<u>\$0 to Unknown</u>
ESTIMATED NET EFFECT ON HIGHWAY FUNDS (0644)	<u>\$0 to Unknown</u>	<u>\$0 to Unknown</u>	<u>\$0 to Unknown</u>	<u>\$0 to Unknown</u>
LEGAL EXPENSE FUND (0692)				
<u>Costs - (\$84.325) taking ownership of contractual obligations of the SLPD (including liability)</u>	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<u>Transfer In – (\$84.325) from General Revenue - taking ownership of contractual obligations of the SLPD (including liability)</u>	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Cost Avoidance – OA (\$105.726) Reduction in the amount of claims paid (equal share basis compared to current law) pg. 4</u>	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2034)
<u>Loss</u> - (\$105.726) Reduction in the amount of funds received by General Revenue due to reduced claims costs pg. 4	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
ESTIMATED NET EFFECT ON THE LEGAL EXPENSE FUND	\$0	\$0	\$0	\$0

<u>FISCAL IMPACT – Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2034)
LOCAL POLITICAL SUBDIVISIONS				
<u>Revenue</u> - DOR - increase in reinstatement fees associated with point accumulation actions added to records at 25% (15% Cities/10% Counties) §§304.012 & 304.145 pg. 14	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Cost Avoidance</u> – (\$84.325) St. Louis City - from the State taking ownership of contractual obligations of the SLPD (including liability) pg. 6	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Cost</u> – (\$84.100) – increase in salary and benefits to add 121 additional patrolmen pg. 6	(Up to \$8,500,000)	(Up to \$8,500,000)	(Up to \$8,500,000)	(Up to \$8,500,000)
<u>Cost</u> – (\$105.726) St. Louis City – cost increase due to the reduction in the amount of claims paid by the State LEF (equal share basis compared to current law) pg. 6	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

<u>FISCAL IMPACT – Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2034)
ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	More or Less than (\$8,500,000)	More or Less than (\$8,500,000)	More or Less than (\$8,500,000)	More or Less than (\$8,500,000)

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.

SAINT LOUIS CITY POLICE FORCE (Sections 84.012 to 84.347 and Section 105.726)

Beginning August 28, 2025, the Board shall assume control of the municipal police department of St. Louis and no later than September 28, 2025, the Governor shall appoint four commissioners to the Board who shall serve together with the president of the board of aldermen. The municipal police department shall transfer title and ownership of all indebtedness and assets and accept liability as successor-in-interest for contractual obligations of the police department. The Board shall initially employ, without reduction in rank, salary, or benefits, all commissioned and civilian personnel of the municipal police department.

This act provides that the city of St. Louis may pass ordinances, including ordinances for preserving order and protecting the public; but no ordinances shall, in any manner, conflict or interfere with the powers or the exercise of the powers of the Board of Police Commissioners. Additionally, the mayor or any city officer shall not impede or hinder the Board of Police Commissioners. The mayor or any city officer shall be liable for a penalty of \$1,000 for each and every offense to hinder the Board and shall forever be disqualified from holding or exercising any office of the city.

The Board is required to appoint and employ a permanent police force consisting of not less than 1,313 members. The Board may continue to employ as many non-commissioned police civilians as it deems necessary in order to perform the duties imposed on them, which shall include city marshals and park rangers.

The maximum number of officers of the police force in each rank shall be as follows:

- 76 officers at the rank of lieutenant and above;
- 200 officers at the rank of sergeant; and

- 1,037 officers at the rank of patrolman.

The salaries paid as of August 28, 2025, shall not be less than the annual salaries paid to each member before the enactment of this act. No additional compensation shall be given to any officer of the rank of lieutenant or above for overtime, court time, or stand-by court time.

Probationary patrolmen, patrolmen, and sergeants shall receive compensation for all hours of service in excess of the established regular working period, for all authorized overtime, and for employees who complete academic work at an accredited college or university up to a certain amount as provided in the act. Additionally, certain officers may receive up to 10% of their salary in additional compensation for hours worked between 11 p.m. and 7 a.m.

This act provides that until the Board adopts other investigative and disciplinary procedures, the police force shall follow the disciplinary and investigative procedures established by the Police Manual of the St. Louis Metropolitan Police Department which are consistent with law. The Board shall not adopt any disciplinary procedures that do not include the summary hearing Board procedures provided for currently in the Police Manual.

This act provides that reimbursements from the Legal Expense Fund to the Board for liability claims shall be on an equal share basis per claim up to a maximum of one million dollars per fiscal year.

This act repeals all provisions relating to the municipal police force established by the city of St. Louis.

STUNT DRIVING (Sections 304.012 & 304.145)

This act prohibits stunt driving and participation in street takeovers, as such terms are defined in the act. The act specifies criminal penalties and sentencing requirements, with enhanced penalties and sentencing requirements for repeat offenders.

OFFENSE OF ENDANGERING THE WELFARE OF A CHILD IN THE FIRST DEGREE (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."

OFFENSE OF RIOTING (Section 574.050)

This act modifies the offense of rioting to provide that a person commits the offense if a person knowingly assembles with six or more people and violates any criminal laws. This offense shall be a class D felony, rather than a class A misdemeanor, for the first offense and a class C felony for subsequent offenses.

OFFENSE OF RESISTING ARREST (Section 575.150)

This act provides that any person guilty of a class E felony of resisting or interfering with arrest shall have his or her vehicle impounded and forfeited pursuant to law.

COMMITTEE ON SCHOOL SAFETY (Section 590.208)

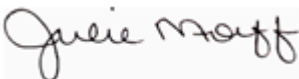
This act establishes the "Committee on School Safety" within the Department of Public Safety with membership as provided in the act. The Committee shall at least quarterly evaluate and establish guidelines for school safety concerns, including plans to prevent school firearm violence. The Committee shall submit a report in writing to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives after every meeting of the committee.

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

St. Louis City
Office of Administration
 Administrative Hearing Commission
 Office of the Commissioner
 Budget and Planning
Department of Corrections
Office of the State Public Defender
Attorney General's Office
Department of Natural Resources
Department of Labor and Industrial Relations
Department of Public Safety
 Office of the Director
 Division of Alcohol and Tobacco Control
 Capitol Police
 Fire Safety
 Missouri Gaming Commission
 Missouri Highway Patrol
 Missouri Veterans Commission

State Emergency Management Agency
Department of Commerce and Insurance
Department of Economic Development
Department of Elementary and Secondary Education
Department of Higher Education and Workforce Development
Department of Health and Senior Services
Department of Mental Health
Joint Committee on Administrative Rules
Department of Social Services
Office of the Governor
Missouri Department of Agriculture
Missouri Department of Conservation
Missouri Ethics Commission
MoDOT & Patrol Employees' Retirement System
Missouri Department of Transportation
Missouri National Guard
Petroleum Storage Tank Insurance Fund
University of Missouri System
Kansas City
Phelps County Sheriff's Office
Kansas City Police Department
Office of the State Auditor
Missouri House of Representatives
Joint Committee on Education
Joint Committee on Public Employee Retirement
Legislative Research
Oversight Division
Missouri Senate
Missouri Lottery Commission
Missouri Consolidated Health Care Plan
Missouri Office of Prosecution Services
Missouri State Employee's Retirement System
State Tax Commission
Office of the Secretary of State



Julie Morff
Director
January 22, 2025



Jessica Harris
Assistant Director
January 22, 2025