

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1311S.01I
 Bill No.: SB 235
 Subject: Children and Minors; Courts; Family Law; Drunk Driving/Boating; Victims Of Crime
 Type: Original
 Date: February 24, 2025

Bill Summary: This proposal creates "Bentley's Law" relating to child maintenance orders for certain persons convicted of the offense of driving while intoxicated.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
General	(\$500,000 to \$1,000,000)	\$0	\$0
Total Estimated Net Effect on General Revenue*	(\$500,000 to \$1,000,000)	\$0	\$0

*Range based on costs of a new child support module by the Office of the State Courts Administrator.

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

Numbers within parentheses: () indicate costs or losses.

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

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

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

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

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

Officials from the **Office of the State Courts Administrator (OSCA)** state this proposal would have an impact in Show-Me Courts and possibly others systems. As regarding a budgetary impact, the estimate would be \$500,000 to \$1,000,000 to develop a new Child Support module.

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

Officials from the **Department of Social Services, the Department of Commerce and Insurance, the Department of Corrections, the Department of Elementary and Secondary Education, the Department of Higher Education and Workforce Development, the Department of Public Safety, Missouri Highway Patrol, the Department of Revenue, the Office of the State Public Defender, the Missouri Office of Prosecution Services, the University of Missouri System, Northwest Missouri State University 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 circuit clerks and colleges were requested to respond to this proposed legislation but did not. A listing of political subdivisions included in the Missouri Legislative Information System (MOLIS) database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
GENERAL REVENUE			
<u>Costs – OSCA (§454.1050) New child support module</u>	<u>(\$500,000 to \$1,000,000)</u>	<u>\$0</u>	<u>\$0</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE*	<u>(\$500,000 to \$1,000,000)</u>	<u>\$0</u>	<u>\$0</u>
*Range based on costs of a new child support module.			

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

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

This act establishes "Bentley's Law". Under this act, if a person is convicted of the offense of driving while intoxicated, such offense caused the death of a parent or guardian, and a surviving parent or guardian files a petition to receive child maintenance from the convicted person, such person shall pay, pursuant to a court order, child maintenance to the child of the deceased parent or guardian in an amount and duration as specified in the act.

If the person ordered to pay child maintenance is unable to make maintenance because such person is imprisoned or otherwise confined, then the person shall have up to one year after release from incarceration to begin payment, including any arrearage.

If the surviving parent or guardian brings a civil action and obtains a judgment against the convicted person prior to any child maintenance order under this section, no maintenance shall be ordered. If the surviving parent or guardian brings a civil action after maintenance is ordered, the maintenance order shall offset the judgement.

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

Department of Commerce and Insurance
Department of Corrections
Department of Elementary and Secondary Education
Department of Higher Education and Workforce Development
Department of Revenue
Department of Public Safety - Missouri Highway Patrol
Department of Social Services
Missouri Office of Prosecution Services
Office of the State Courts Administrator
Office of the State Public Defender
University of Missouri System
Northwest Missouri State University
University Of Central Missouri



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February 24, 2025



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