

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 2136S.02I  
Bill No.: SB 582  
Subject: Crimes and Punishment; Criminal Procedure; Probation and Parole  
Type: Original  
Date: March 21, 2025

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Bill Summary: This proposal establishes provisions relating to the reduction of certain criminal sentences of imprisonment.

**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 2035)</b>
General Revenue*	\$0 or More or less than \$506,661	\$0 or More or less than \$855,364	\$0 or More or less than \$985,433	\$0 or More or less than \$2,125,791
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0 or More or less than \$506,661</b>	<b>\$0 or More or less than \$855,364</b>	<b>\$0 or More or less than \$985,433</b>	<b>\$0 or More or less than \$2,125,791</b>

\*Oversight notes the decision to release an offender is still with the Missouri Board of Probation and Patrol; therefore, the fiscal impact is ranged from \$0 to the savings of up to 192 fewer people in prison by FY 2035.

<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 2035)</b>
<b>Total Estimated Net Effect on Other State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: () indicate costs or losses.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2035)
<b>Total Estimated Net Effect on All Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2035)
General Revenue	0 or 1 FTE	0 or 1 FTE	0 to 2 FTE	0 to 3 FTE
<b>Total Estimated Net Effect on FTE</b>	<b>0 or 1 FTE</b>	<b>0 or 1 FTE</b>	<b>0 to 2 FTE</b>	<b>0 to 3 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>				
FUND AFFECTED	FY 2026	FY 2027	FY 2028	Fully Implemented (FY 2035)
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## **FISCAL ANALYSIS**

### **ASSUMPTION**

#### **§§217.738 and 558.500 – Reduction of certain criminal sentences of imprisonment**

Officials from the **Department of Corrections (DOC)** state this proposal establishes provisions relating to the reduction of certain criminal sentences of imprisonment.

Section 217.738 is created to stipulate the conditions under which an offender may receive a reduction of sentence under section 558.500, following a parole hearing. Stipulations include the following be provided to the parole board:

- At least five character recommendations from current or former DOC employees attesting that further imprisonment of the offender would not serve the public good;
- Signed statements of at least 20 residents of the community where the offender will reside upon release supporting the offender's release and who commit to providing assistance with offender's reentry into the community; and
- A safe and secure home plan for implementation upon the offender's release.

Section 558.500 is created to allow for the petitioning of the court by offenders to modify a sentence of life without parole or a sentence of thirty years or greater to a sentence of life with the eligibility for parole. The following criteria must be met to obtain eligibility to petition:

- The offender has served at least 30 years in the department of corrections.
- The offender was under 20 years of age at the time the offense was committed.
- The offender has made reasonable efforts towards rehabilitation since being convicted.

The total potential impact on the department could be up to an additional 192 offenders eligible for release over the next ten fiscal years.

	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032	FY2033	FY2034	FY2035
<b>Possible Release</b>	67	21	19	11	13	20	10	12	9	10
<b>Total</b>	67	88	107	118	131	151	161	173	182	192

The total cumulative impact on the offender population within the ten-year time frame of this note is reflected in the transfer of incarcerated offenders to the field population.

**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	0	0	0	0	0	0	0	0	0	0
After Legislation	0	0	0	0	0	0	0	0	0	0
<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	0	0	0	0	0	0	0	0	0	0
Probations	0	0	0	0	0	0	0	0	0	0
<b>Cumulative Populations</b>										
Prison	-67	-88	-107	-118	-131	-151	-161	-173	-182	-192
Parole	67	88	107	118	131	151	161	173	182	192
Probation	0	0	0	0	0	0	0	0	0	0
<b>Impact</b>										
Prison Population	-67	-88	-107	-118	-131	-151	-161	-173	-182	-192
Field Population	67	88	107	118	131	151	161	173	182	192
<b>Population Change</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

As this statute only states these offenders would become eligible to receive a parole hearing once the listed criteria is met, release would still be a decision for the Parole Board to make.

Therefore, the impact could be none, should they choose not to release any additional offenders, all the way up to the above stated impact.

Subsection 2 of section 558.500 stipulates the division of probation and parole shall supervise any convicted person receiving a reduction of sentence for the duration of the convicted person's natural life. This will have an unknown cost to the department for the additional supervision it will require beyond the offender's original maximum release date.

	# to prison	Cost per year	Total Savings 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	(67)	(\$10,485)	\$585,412	1	(\$78,751)	67	\$506,661
Year 2	(88)	(\$10,485)	\$941,133	1	(\$85,769)	88	\$855,364
Year 3	(107)	(\$10,485)	\$1,167,218	2	(\$181,786)	107	\$985,433
Year 4	(118)	(\$10,485)	\$1,312,957	2	(\$175,203)	118	\$1,137,754
Year 5	(131)	(\$10,485)	\$1,486,757	2	(\$177,066)	131	\$1,309,691
Year 6	(151)	(\$10,485)	\$1,748,018	2	(\$178,954)	151	\$1,569,064
Year 7	(161)	(\$10,485)	\$1,901,056	3	(\$280,774)	161	\$1,620,282
Year 8	(173)	(\$10,485)	\$2,083,605	3	(\$274,184)	173	\$1,809,421
Year 9	(182)	(\$10,485)	\$2,235,840	3	(\$277,110)	182	\$1,958,730
Year 10	(192)	(\$10,485)	\$2,405,862	3	(\$280,072)	192	\$2,125,791

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 a range of \$0 (no parole granted) to DOC's impact for fiscal note purposes.

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

<u>FISCAL IMPACT</u> <u>– State</u> <u>Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2035)
<b>GENERAL REVENUE</b>				
<u>Savings</u> – DOC (§§217.738 and 558.500) Potential decrease in incarceration costs	\$0 to \$585,412	\$0 to \$941,133	\$0 to \$1,167,218	\$0 to \$2,405,862
<u>Cost</u> – DOC (§§217.738 and 558.500)	\$0 to...	\$0 to...	\$0 to ...	\$0 to...
Personal Service	(\$39,029)	(\$47,303)	(\$95,552)	(\$153,666)
Fringe Benefits	(\$28,803)	(\$34,909)	(\$70,516)	(\$113,404)
Exp. & Equip.	(\$10,919)	(\$3,557)	(\$15,718)	(\$13,002)
<b>Total Cost - DOC</b>	<b>(\$78,751)</b>	<b>(\$85,769)</b>	<b>(\$181,786)</b>	<b>(\$280,072)</b>
FTE Change - DOC	0 or 1 FTE	0 or 1 FTE	0 to 2 FTE	0 to 3 FTE
<u>Cost</u> – DOC (§558.500) Lifetime supervision for parolees	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b><u>\$0 or More or less than \$506,661</u></b>	<b><u>\$0 or More or less than \$855,364</u></b>	<b><u>\$0 or More or less than \$985,433</u></b>	<b><u>\$0 or More or less than \$2,125,791</u></b>
Estimated Net FTE Change on General Revenue	0 or 1 FTE	0 or 1 FTE	0 to 2 FTE	0 to 3 FTE

<u>FISCAL IMPACT</u> <u>– Local</u> <u>Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028	Fully Implemented (FY 2035)
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION**REDUCTION OF CERTAIN CRIMINAL SENTENCES (Sections 217.738 and 558.500)**

This act authorizes the sentencing court to reduce a sentence of life without eligibility for probation or parole or reduce a sentence of 30 years or greater to a sentence of life with eligibility for probation or parole if the convicted person has served at least 30 years, was under 20 years of age at the time of the offense, made reasonable efforts towards rehabilitation, and has exhibited model citizen behavior.

Any offender receiving such reduction shall be granted a hearing before the Parole Board. Furthermore, an offender receiving a reduction shall provide the Parole Board with the following in order to be eligible for supervised release:

- (1) At least 5 statements from current or former Department of Corrections employees attesting to the offender demonstration of institutional adaptability and conduct in the correctional center;
- (2) At least 20 signed statements from residents of the community where the offender will reside upon release that commit to providing assistance with the offender's reentry; and
- (3) A safe and secure home plan.

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 Corrections

Missouri Department of Transportation

Missouri Office of Prosecution Services

Office of the State Courts Administrator

Office of the State Public Defender



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