

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3123S.01I
 Bill No.: SB 794
 Subject: Abortion; Civil Procedure; Courts; Judges
 Type: Original
 Date: April 1, 2025

Bill Summary: This proposal modifies provisions relating to judicial proceedings, including intervention in actions involving abortion and the composition of the western and southern districts of the court of appeals.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
General Revenue	(Less than \$1,691,716)	(Less than \$2,033,816)	(Less than \$2,071,332)
Total Estimated Net Effect on General Revenue	(Less than \$1,691,716)	(Less than \$2,033,816)	(Less than \$2,071,332)

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
General Revenue	Less than 13 FTE	Less than 13 FTE	Less than 13 FTE
Total Estimated Net Effect on FTE	Less than 13 FTE	Less than 13 FTE	Less than 13 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
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§§188.140, 477.060, 477.170, and 477.180 – Provisions relating to judicial proceedings, including actions involving abortion and the composition of the western and southern districts of the court of appeals

Officials from the **Office of the State Courts Administrator (OSCA)** state this proposed legislation modifies provisions relating to judicial proceedings, including intervention in actions involving abortion and the composition of the western and southern districts of the court of appeals.

Section 477.060 changes the jurisdiction of the Southern District Court of Appeals to include Cole and Miller counties.

Section 477.170 changes the number of judges in the Western District Court of Appeals from 11 to 7. The judges of the Court of Appeals are selected under the Missouri Nonpartisan Court Plan, which includes selection by the Appellate Judicial Commission based on merit, gubernatorial appointment, and retention by the voters at the ballot box. The Appellate Court Judges would continue to serve in the Western District until their term is complete.

Section 477.180 adds 3 additional Appellate Court Judges to the Southern District Court of Appeals. The FY 26 projected personal services for 3 FTE Appellate Court Judges \$574,437 (\$191,479 each, annually) plus \$9,463 (\$6,351 one-time cost) E&E totaling \$583,900.

It is anticipated that the change in jurisdiction would result in an increased caseload in the Southern District Court of Appeals that would require 1 additional FTE court clerk at \$47,630 personal services, additionally, a minimum of \$366,420 personal services for 6 FTE law clerks (\$61,070 each, annually) and \$151,011 personal services for 3 FTE judicial executive assistants (\$50,337 each, annually), and \$31,544 (\$21,169 one-time cost) E&E totaling \$596,605.

In addition, the increased staff in the Southern District would require additional office space for the 13 FTE with additional impact, but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

The proposed legislation results in the addition of 13 FTE and totals approximately \$1,180,505 annually.

Oversight has no information to the contrary. Therefore, Oversight will present the fiscal impact of this proposal as provided by OCSA but updated to include fringe benefits and adjusted 2% annually for inflation. In addition, Oversight will present (Unknown) costs for additional office space.

Oversight notes that current appellate judges in the Western District will be allowed to serve out their terms. It is unknown when the number of judges in the Western District would actually be reduced. Therefore, Oversight will show a range of impact of \$0 (no reduction in the number of judges and other staff) to an unknown savings.

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.

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
GENERAL REVENUE FUND			
<u>Costs – OSCA (§§477.170, and 477.180)</u>			
Personal service	(\$949,583)	(\$1,162,288)	(\$1,185,533)
Fringe benefits	(\$703,374)	(\$857,771)	(\$871,767)
Equipment and expense	(\$38,759)	(\$13,757)	(\$14,032)
Rental space	(Unknown)	(Unknown)	(Unknown)
<u>Total Costs - OSCA</u>	<u>(Greater than \$1,691,716)</u>	<u>(Greater than \$2,033,816)</u>	<u>(Greater than \$2,071,332)</u>
FTE Change – OSCA	13 FTE	13 FTE	13 FTE
<u>Savings – OSCA (§§477.170, and 477.180) – reduction in the number of judges, support staff and related costs</u>	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
FTE Change – OSCA	0 or (Unknown) FTE	0 or (Unknown) FTE	0 or (Unknown) FTE
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>(Less than \$1,691,716)</u>	<u>(Less than \$2,033,816)</u>	<u>(Less than \$2,071,332)</u>
Estimated net FTE Change on the General Revenue Fund	Less than 13 FTE	Less than 13 FTE	Less than 13 FTE

<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 moves the counties of Miller and Cole from the Western District of the Court of Appeals to the Southern District of the Court of Appeals. This act modifies the number of appellate judges in the Western District from eleven to seven and in the Southern District from seven to ten. (§§477.170, and 477.180)

This legislation is not federally mandated, would not duplicate any other program but would require additional capital improvements or rental space.

SOURCES OF INFORMATION

Attorney General’s Office
Office of the State Courts Administrator



Julie Morff
Director
April 1, 2025



Jessica Harris
Assistant Director
April 1, 2025