

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3368S.01I  
 Bill No.: SB 1509  
 Subject: Attorney General; Boards, Commissions, Committees, and Councils; Department of Corrections; Crimes and Punishment; Law Enforcement Officers and Agencies; Prisons and Jails; Probation and Parole  
 Type: Original  
 Date: February 23, 2026

Bill Summary: This proposal establishes the "Office of State Ombudsman for Inmates in the Custody of the Department of Corrections" for the purpose of providing oversight of the care of inmates in facilities of the Department of Corrections.

**FISCAL SUMMARY**

**ESTIMATED NET EFFECT ON GENERAL REVENUE FUND**

FUND AFFECTED	FY 2027	FY 2028	FY 2029
General Revenue*	(Unknown, greater than \$500,000)	(Unknown, greater than \$500,000)	(Unknown, greater than \$500,000)
<b>Total Estimated Net Effect on General Revenue</b>	<b>(Unknown, greater than \$500,000)</b>	<b>(Unknown, greater than \$500,000)</b>	<b>(Unknown, greater than \$500,000)</b>

\*Oversight notes the Office of State Corrections Ombudsperson would require an unknown number of employees and office space to fulfil the duties outlined in the legislation as well as a significant fiscal and operational impact to the department in the tracking and reporting of information currently not captured that may be requested.

**ESTIMATED NET EFFECT ON OTHER STATE FUNDS**

FUND AFFECTED	FY 2027	FY 2028	FY 2029
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: () indicate costs or losses.

**ESTIMATED NET EFFECT ON FEDERAL FUNDS**

FUND AFFECTED	FY 2027	FY 2028	FY 2029
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)**

FUND AFFECTED	FY 2027	FY 2028	FY 2029
General Revenue	Unknown FTE	Unknown FTE	Unknown FTE
<b>Total Estimated Net Effect on FTE</b>	<b>Unknown FTE</b>	<b>Unknown FTE</b>	<b>Unknown 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.

**ESTIMATED NET EFFECT ON LOCAL FUNDS**

FUND AFFECTED	FY 2027	FY 2028	FY 2029
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

#### §§217.950, 217.955, 217.960, 217.965, and 217.970 – Office of State Ombudsman

Officials from the **Department of Corrections (DOC)** state Section 217.955 is created, in which it establishes the Office of State Ombudsman for Inmates in the Custody of the Department of Corrections to assure adequacy of care received by inmates and to improve quality of life experienced by them. It will have the authority to provide information to incarcerated people, correctional staff, family members of the incarcerated and staff; monitor conditions in correctional centers and assess department's compliance with applicable federal, state, and local rules, regulations and policies; establish a statewide uniform reporting system to collect and analyze data; promulgate reasonable rules and regulations for the administration and enforcement of this chapter; gather stakeholder input; inspect each department facility; investigate incidents within the department facilities either on the office's own initiative or pursuant to a complaint; and publicly issue periodic facility inspection reports, annual report with recommendations and summary of data and recommendations arising from any complaints investigated.

The department assumes that the Office of the Ombudsman is to be located in a Department of Corrections' facility. The creation of the office will require FTE, plus fringe, expense and equipment, and leasing costs. Because the Ombudsman has the authority to determine the needed FTE, the department is unable to estimate the cost of the creation of this office.

Section 217.955.4(4) requires the establishment and maintenance of a statewide uniform reporting system to collect and analyze data related to inmate deaths, suicide attempts, staff vacancies, inmate-to-staff ratios, staff tenure, and other operational indicators. The fiscal impact associated with the development, implementation, and ongoing maintenance of this reporting infrastructure is unknown at this time.

There is also the potential for significant fiscal and operational impact to the department in the tracking and reporting of information currently not captured that may be requested, as well as time needed to respond to inquiries made by the Office of State Ombudsman. There is no way of knowing to what extent documentation and reporting would be requested, and therefore exactly how many additional FTE will be required to fulfill these duties.

Therefore, the department estimates an unknown fiscal cost to this legislation.

**Oversight** does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect DOC's (unknown, greater than \$250,000) impact for the tracking and reporting of information as well as time needed to respond to inquiries made by the Office of State Ombudsman.

Oversight notes based on the provisions of the proposal, that the Office of State Corrections Ombudsperson would require an unknown number of employees and office space to fulfil the duties outlined in the legislation. Therefore, Oversight will reflect an unknown cost greater than \$250,000 which includes FTE, fringe benefits, and E/E associated with this proposal.

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.

Officials from the **Office of the Governor (GOV)** state this bill adds to the Governor’s current load of appointment duties. Individually, additional requirements should not fiscally impact the Office of the Governor. However, the cumulative impact of additional appointment duties across all enacted legislation may require additional resources for the Office of the Governor.

Officials from the **Missouri House of Representatives** and **Missouri Senate** 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.

<u>FISCAL IMPACT – State Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029
<b>GENERAL REVENUE</b>			
<u>Cost – DOC (§§217.950 through 217.970) Tracking and reporting of information; respond to inquiries p.3-4</u>	(Unknown, could exceed \$250,000)	(Unknown, could exceed \$250,000)	(Unknown, could exceed \$250,000)
<u>Cost – Office of State Corrections Ombudsperson (§§217.950 through 217.970) FTE, fringe benefits, E/E p.3-4</u>	(Unknown, could exceed \$250,000)	(Unknown, could exceed \$250,000)	(Unknown, could exceed \$250,000)
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b>(Unknown, greater than \$500,000)</b>	<b>(Unknown, greater than \$500,000)</b>	<b>(Unknown, greater than \$500,000)</b>

<u>FISCAL IMPACT – Local Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

This act establishes the "Office of State Ombudsman for Inmates in the Custody of the Department of Corrections" ("Office") within the Department of Corrections ("Department") for the purpose of ensuring the adequacy of care and improving the quality of life of inmates. The Office shall establish and implement procedures for receiving, processing, responding to, and resolving complaints made by or on behalf of inmates in the custody of the Department as well as establish procedures for the resolution of complaints. The Office shall be directed by an Ombudsman, who shall be appointed by the Governor and serve a 6-year term. The Ombudsman shall not be a current or former Department employee or have a spouse, child, or parent as a current or former Department employee.

This act provides that the Office shall have the authority to:

- Provide information to inmates, family members and representative of inmates, and others regarding the rights of inmates;
- Monitor conditions of confinement and assess whether the Department is in compliance with federal, state, and Department regulations;
- Establish a state-wide reporting system to collect data related to complaints received by the Department; and
- Monitor all decisions of the parole board.

The Office shall have reasonable access to all Department facilities, including all areas which are accessible to inmates, and access to programs for inmates at reasonable times. The Office shall have the authority to interview any inmates, Department employees or contractors, or any other person. The Office shall have the authority to copy documents in the possession or control of the Department that the Office considers necessary in an investigation of a complaint and the Department shall provide such documents no later than 30 days after the Office's written request. If the records relate to an inmate death, threat of death, sexual assault, or the denial of necessary medical treatment, the records shall be provided within 5 days, unless a waiver is provided by the Office to the Department. The Office shall establish confidentiality rules and procedures for all information maintained by the Office to ensure that the identity of a complainant is not known to Department employees or other inmates.

The Office shall conduct at least one inspection each year of each Department facility and at least two times each year for each maximum security facility to monitor the status of all covered issues as defined in this act. The Office shall release a public report of each inspection. An inspection of a Department facility shall include an assessment of the following:

- All policies and procedures related to the care of inmates;
- Conditions of confinement;
- Availability of educational and rehabilitative programming, drug and mental health treatment, and inmate job training;
- All policies and procedures related to visitation;
- All procedures and policies of medical facilities;
- Review of lock-downs at the facility in the time since the last inspection;
- Review of staffing at the facility;
- Review of physical and sexual assaults at the facility;
- Review of any inmate or staff deaths; and
- Review of staff recruitment for the Department.

Upon completion of the inspection, the Office shall produce a public report, with information as provided in the act, on its website, and deliver the report to the Governor, Attorney General, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the Director of the Department of Corrections. The Department shall then submit a report to the Office within 30 days of the Office's inspection report which shall include a corrective action plan for each recommendation of the Office.

This act also provides that the Office may initiate and attempt to resolve an investigation upon its own initiative or upon receipt of a complaint from an inmate, the inmate's family or representative, or a Department employee, regarding violations as provided in the act.

The Office may decline to investigate any complaint and shall decline a complaint if the inmate has failed to first utilize Department grievance policies. The Office shall notify the complainant if it does not investigate a complaint. The Office may not investigate any complaints relating to an inmate's underlying criminal conviction and may refer any complaint to another state or federal agency.

At the conclusion of an investigation, the Office shall render a public decision within 90 days of the filing of the complaint, except that the documents supporting the decision are subject to the confidentiality procedures established by the Office. The Office shall give a decision in writing to the inmate and to the Department. The Office shall give its recommendations for further action if needed. The Department shall give a report upon request to the Office within thirty days of any action taken on the Office's recommendations or the reasons for not complying with the recommendations. If the Office finds that there has been a significant inmate health or safety issue, the Office shall report such findings to the Governor, the Attorney General, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the Director of the Department of Corrections.

Finally, the Department and its employees shall not discharge, retaliate against, or in any manner discriminate against any person because such person has filed any complaint or instituted any proceeding under this act. A complaint may be filed with the Attorney General, within 30 days after a violation occurs, for any alleged discharge or retaliation against a complainant. There shall be a rebuttable presumption of retaliation if the complainant has suffered abuse or any other violation after he or she filed a complaint under this act.

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

Attorney General's Office  
Department of Corrections  
Missouri House of Representatives  
Missouri Senate  
Office of the Governor



Julie Morff  
Director  
February 23, 2026



Jessica Harris  
Assistant Director  
February 23, 2026