

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4021S.01I  
Bill No.: SB 1074  
Subject: Department of Corrections; Crimes and Punishment; Criminal Procedure; Probation and Parole  
Type: Original  
Date: January 21, 2026

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Bill Summary: This proposal modifies provisions relating to criminal sentencing, including compliance and good-time credits.

**FISCAL SUMMARY**

**ESTIMATED NET EFFECT ON GENERAL REVENUE FUND**

FUND AFFECTED	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2032)
General Revenue*	\$0	\$0	(\$8,911,190)	(\$31,221,451 to Unknown)
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$8,911,190)</b>	<b>(\$31,221,451 to Unknown)</b>

\*DOC notes that current capacity will be met by July 2029 (FY 2030) or potentially much sooner. Therefore, Oversight has made the decision to reflect the marginal cost of incarceration up to an unknown cost if DOC needs to add staff and/or rehabilitate, expand or construct additional capacity. Oversight assumes the unknown cost has the potential to exceed \$250,000.

**ESTIMATED NET EFFECT ON OTHER STATE FUNDS**

FUND AFFECTED	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2032)
<b>Total Estimated Net Effect on <u>Other State Funds</u></b>	<b>\$0</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	Fully Implemented (FY 2032)
<b>Total Estimated Net Effect on <u>All Federal Funds</u></b>	<b>\$0</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	Fully Implemented (FY 2032)
General Revenue	0 FTE	0 FTE	87 FTE	222 FTE
<b>Total Estimated Net Effect on FTE</b>	<b>0 FTE</b>	<b>0 FTE</b>	<b>87 FTE</b>	<b>222 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	Fully Implemented (FY 2032)
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## **FISCAL ANALYSIS**

### **ASSUMPTION**

Repeals §§217.147, 217.703, and 558.041 and Implements §§217.151 and 559.016 – Criminal Sentencing and Good-Time Credits

Officials from the **Missouri Office of Prosecution Services** did not respond to **Oversight's** request for fiscal impact for this proposal.

Officials from the **Department of Corrections (DOC)** state this proposal modifies provisions relating to criminal sentencing, including compliance and good-time credits.

This proposal intends to repeal Earned Compliance Credit and Good Time Credit.

#### *Parole Discharges*

In FY 2025, 1,638 offenders who were not serving a consecutive sentence were discharged from their final parole supervision sentence without earned compliance credit. These offenders served, on average, 6.8 years of a 7.6 year sentence with the department. (Time served can vary from sentence length for non-ECC discharges due to the issuance of jail time credit and Board early discharges.) In FY 2025, 1,909 offenders not serving a consecutive sentence were discharged from their final parole supervision sentence with earned compliance credit after having served on average, 4.6 years of a 6.2 year sentence with the department.

Parole discharges in FY 2025 without earned compliance credit served, on average, 89% of their sentence with the department. Parole discharges in FY 2025 with earned compliance credit served, on average, 74% of their sentence. The average proportion of sentence served with the department for all discharges from parole in FY 2025 was 82% of their sentence. To estimate the potential impact of the proposed legislation, DOC assumes all future parolees will serve 89% of their sentence with the department.

#### *Probation Discharges*

In FY 2025, 1,235 offenders not serving a consecutive sentence were discharged from their final probation supervision sentence without earned compliance credit after having served on average, 3.4 years of a 6.4 year sentence with the department. In FY 2025, 4,454 offenders not serving a consecutive sentence were discharged from their final probation supervision sentence with earned compliance credit after having served on average, 2.7 years of a 5.7 year sentence with the department.

Probation discharges in FY 2025 without earned compliance credit served, on average, 53% of their sentence. Probation discharges in FY 2025 with earned compliance credit served, on average, 47% of their sentence. The average proportion of sentence served with the department for all discharges from probation was 49% of their sentence. To estimate the potential impact of

the proposed legislation, DOC assumes all new probation cases will serve 53% of their sentence with the department.

*Estimate of Future Impact*

In FY 2025, 3,668 offenders were released for the first time from prison to parole supervision that was not lifetime supervision on sentences that would otherwise be eligible for early discharge under ECC. The average sentence length for these offenders was 6.3 years; and, they had served, on average, 2.5 years, or 40% of their sentence term in prison prior to first release. This is the proportion of sentence term DOC will use to estimate time to first release of new admissions.

In FY 2025, there were 3,815 new court commitments to prison with no sentences that required lifetime supervision and either a most serious sentence that was eligible for ECC or a sentence eligible for ECC that was designated to be served consecutively to other sentences. The average length of these sentences was 6.5 years.

In FY 2025, 15,633 offenders were assigned to the department as new probation cases. Of those new cases, 14,789 did not have a class A felony sentence or a class B felony sentence (which would make them eligible for early discharge under the proposed legislation). The average sentence length for new probation cases with sentences eligible for consideration for early discharge was 4.7 years. To estimate the maximum potential impact of this proposal, DOC assumes that these offenders would serve 53% of their sentence with the department instead of the 47% that probation cases discharged with earned compliance credit serve.

The estimated cumulative impact of the proposed legislation is an additional 763 offenders in prison (due to an increased likelihood of revocation of offenders serving longer periods under parole supervision) and 11,325 additional offenders under field supervision by FY 2031.

	# 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	0	(\$11,123)	\$0	0	\$0	0	\$0
Year 2	0	(\$11,123)	\$0	0	\$0	0	\$0
Year 3	0	(\$11,123)	\$0	87	(\$8,911,190)	4,437	(\$8,911,190)
Year 4	763	(\$11,123)	(\$9,006,312)	188	(\$18,735,698)	9,589	(\$27,742,010)
Year 5	763	(\$11,123)	(\$9,186,438)	188	(\$18,048,329)	9,589	(\$27,234,767)
Year 6	763	(\$11,123)	(\$9,370,167)	222	(\$21,851,284)	11,325	(\$31,221,451)
Year 7	763	(\$11,123)	(\$9,557,570)	222	(\$21,766,550)	11,325	(\$31,324,120)
Year 8	763	(\$11,123)	(\$9,748,722)	222	(\$21,997,658)	11,325	(\$31,746,379)
Year 9	763	(\$11,123)	(\$9,943,696)	222	(\$22,231,575)	11,325	(\$32,175,272)
Year 10	763	(\$11,123)	(\$10,142,570)	222	(\$22,467,701)	11,325	(\$32,610,271)

The department will assume a marginal cost (multiplied by number of offenders) for any projected increase or decrease in the incarcerated population. Marginal cost is \$30.47 per day or an annual cost of \$11,123 per offender which includes costs such as medical, food, wages and operational E&E. The unknown amount is a result of the uncertainty in the growth of the underlying offender population. The impact of any new legislation combined with the growth of the underlying population could result in the tiered approach below in order to meet the population demands.

1. Fully staffing the current capacity (27,368) which is habitable, but DOC does not have the staffing resources for all bed space.
2. Rehabilitating current space that is not currently habitable and obtaining staffing resources for that space (requires capital improvements).
3. Expanding new capacity by adding housing units or wings to existing prisons and obtaining staffing resources for that space (requires capital improvements).
4. Constructing a new prison and obtaining staffing resources. Based on current construction projects in other Midwest states, the department estimates the cost of constructing a new 1,500-bed maximum security prison at approximately \$825 million to \$900 million plus annual operating costs of approximately \$50 million (requires capital improvements).

The department's population projections indicate current physical capacity will be met by July 2029; however recent trends indicate that capacity could be met much sooner. Should new construction be the result of the increasing offender population, the full cost per day per offender would be used which is \$106.96 or an annual cost of \$39,040. This includes all items in the marginal cost calculation plus fringe, personal service, utilities, etc.

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.

\* 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.

**Oversight** does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect DOC's impact for fiscal note purposes.

Officials from the **Office of the Governor**, **Office of the State Courts Administrator**, **Office of the State Public Defender**, **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</u> - State Government	FY 2027 (10 Mo.)	FY 2028	FY 2029	Fully Implemented (FY 2032)
<b>GENERAL REVENUE</b>				
<u>Cost</u> - DOC (§§217.151 and 559.016) p.5				
Personal Service	\$0	\$0	(\$4,572,198)	(\$12,020,412)
Fringe Benefits	\$0	\$0	(\$3,288,737)	(\$8,646,194)
Exp. & Equip.	\$0	\$0	(\$1,050,255)	(\$1,184,678)
<u>Total Costs</u> - DOC	\$0	\$0	(\$8,911,190)	(\$21,851,284)
FTE Change-DOC	0 FTE	0 FTE	87 FTE	222 FTE
<u>Cost</u> – DOC (§§217.151 and 559.016) Increased incarceration costs	\$0	\$0	\$0	(\$9,370,167 to Unknown)
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<u>\$0</u>	<u>\$0</u>	<u>(\$8,911,190)</u>	<u>(\$31,221,451 to Unknown)</u>
Estimated Net FTE Change on General Revenue	0 FTE	0 FTE	87 FTE	222 FTE

<u>FISCAL IMPACT</u> - Local Government	FY 2027 (10 Mo.)	FY 2028	FY 2029	Fully Implemented (FY 2032)
	<u>\$0</u>	<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

#### CRIMINAL SENTENCING (Sections 217.151 and 559.016)

This act repeals provisions establishing the Sentencing and Corrections Oversight Commission, which expired on August 28, 2025. Additionally, this act repeals compliance credits for those offenders on probation, parole, or conditional release and good-time credits for those offenders incarcerated with the Department of Corrections.

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

### SOURCES OF INFORMATION

Department of Corrections

Office of the Governor

Office of the State Courts Administrator

Office of the State Public Defender

Missouri House of Representatives

Missouri Senate



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Jessica Harris

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