

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5552S.01I
 Bill No.: SB 894
 Subject: Department of Corrections; Crimes and Punishment; Criminal Procedure; Prisons and Jails
 Type: Original
 Date: February 17, 2026

Bill Summary: This proposal modifies provisions relating to criminal offenses, including classification of offenses, minimum prison terms, and conditional release.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND

FUND AFFECTED	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2035)
General Revenue*	\$0 or (Unknown)	\$0 or (Unknown)	Less than \$1,241,691	Less than \$3,856,217 to (Could exceed \$9,149,428)
Total Estimated Net Effect on General Revenue	\$0 or (Unknown)	\$0 or (Unknown)	Less than \$1,241,691	Less than \$3,856,217 to (Could exceed \$9,149,428)

*Oversight is presenting the potential savings or the potential costs as estimated by DOC based on different scenarios.

*Additionally, 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 2035)
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS

FUND AFFECTED	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2035)
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)

FUND AFFECTED	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2035)
General Revenue*	0 FTE	0 FTE	2 FTE	6 to (16) FTE
Total Estimated Net Effect on FTE	0 FTE	0 FTE	2 FTE	6 to (16) 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 2027	FY 2028	FY 2029	Fully Implemented (FY 2035)
Local Government	\$0	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

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

§§143.911, 144.157, 144.480, 147.120, 149.071, 149.076, 192.2015 -Taxation and Revenue

Officials from the **Department of Revenue (DOR)** state this proposal heightens the penalties for willful violations of key DOR administered tax statutes including Section 143.011 (income tax evasion), Section 144.157 (sales tax personal liability), Section 144.480 (sales tax filing failures), Section 147.120 (false franchise tax reports), Section 149.071 (withholding fraud), and Section 149.076 (withholding filing defaults) to class E felonies, standardizing penalties at up to four years imprisonment and \$10,000 fines. These changes create a unified criminal enforcement scheme across income, sales, franchise, and withholding taxes, and allows DOR to shifting focus from civil recoveries to felony deterrence.

DOR notes there could be some one-time costs training auditors, updating policies, learning referral protocols, and updates to the tax system. It is assumed the department could absorb these costs.

§556.061 – Dangerous Felonies

Officials from the **Department of Corrections (DOC)** state this proposal modifies provisions relating to criminal offenses, including classifications of offenses, minimum prison terms, and conditional release.

All sections that have unclassified felonies that are amended to offense classes with penalties are roughly equivalent to penalties under current law. Therefore, those sections are estimated to have no impact on the department.

Section 556.061 is modified to include all statutory rape in the first degree and all statutory sodomy in the first-degree cases to be dangerous felonies, not just those where the victim is less than 12 years old at the time of the offense. Also adds abuse through forced labor when punished under subsection 4 of section 566.203, trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor or attempted trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor when punished under subsection 4 of section 566.206, trafficking for the purposes of sexual exploitation or attempted trafficking for the purposes of sexual exploitation when the offense was effected by force, abduction, or coercion, sexual trafficking of a child in the first degree, sexual trafficking of a child in the second degree, and the failure to register as a sex offender as a third offense as dangerous felonies.

During FY 2025, there were 31 first releases from prison that would qualify as dangerous felonies under the proposed bill there were not required to serve 85 percent of their prison sentence under current statute. The average stay for these 31 releases was 12.0 years, with the average sentence being 20.0 years. If everyone in this group were to have been required to serve 85 percent, the stay length would have instead been 17.0 years. The estimate impact of this section is 105 additional offenders in the prison population and 105 less in the field population by FY 2044.

§§557.021 and 558.011 – General Sentencing Provisions and Imprisonment

Section 558.011 changes language regarding authorized terms of imprisonment, with class A felonies being 60 to 80 percent as determined by the sentencing court, class B felonies serving between forty and sixty percent, class C felonies between thirty and fifty percent, class D between 17 and 37 percent, class E felony between 17 and 37 percent. This excludes dangerous felonies. If the sentencing court does not have a percentage given, the minimum length will apply. It also removes conditional release language. Does not affect powers of governor, section 565.020, 566.125 and section 559.115 relating to probation. Life sentences are 30 years.

Since 557.021 is replacing 558.011 in setting mandatory minimum sentences, DOC will consider both of these sections together. Given there are proposed a range of minimum percentages required for A, B, C, D and E felonies, DOC will provide estimates at both ends of the range.

Some assumptions are made in creating these projections. It is assumed that those serving an MPT under 558.011 would instead serve the new MPT under 557.021. For all other offenders, the maximum of the new MPT or the actual amount of time served is utilized.

Class A Felonies (60% to 80%)

In FY 2025, there were 275 first releases from prison where the most serious sentence was a class A felony. These offenders served an average of 15.7 years to first release on an average sentence of 18.7 years. If offenders in this group had instead served at least 80% of their stay, they would have served 16.8 years to first release. This would lead to an increase of 193 offenders in prison and a decrease of 193 under field supervision by FY 2043.

If instead, offenders in this group had served at least 60% of their stay, they would have served an average of 16.6 years to first release, leading to an increase in the prison population of 165 offenders and a decrease in the field population of 165 offenders by FY 2044.

Class B Felonies (40% to 60%)

In FY 2025, there were 397 first releases on class B felonies. The average stay for these offenders was 6.7 years on an average sentence of 10.9 years. If instead these offenders were to serve at least 60% of their sentence, the average sentence length would be 7.8 years. This would result in an increase of the prison population of 278 offenders and a decrease in the field population of 278 offenders by FY 2035.

If instead these offenders were to serve at least 40% of their sentence, the average stay length would be 6.8 years. This would lead to a decrease in the prison population of 40 offenders and an increase in the field population of 40 offenders by FY 2035.

Class C Felonies (30% to 50%)

In FY 2025, there were 334 first releases whose most serious offense was a class C felony. These offenders served 3.8 years on average of a 7.9 year average prison sentence. If instead all of these offenders had served a minimum of 50% of their sentence, the average sentence would have been 4.6 years. Going forward, this would lead to an increase in the prison population of 167 offenders and a decrease in the field population of 167 offenders by FY 2032.

If instead, these offenders were required to serve a minimum of 30% of their sentence, the average prison sentence would have been 3.6 years. This would lead to a decrease in the prison population of 67 offenders and an increase in the field population of 67 offenders by FY 2032.

Class D Felonies (17% to 37%)

In FY 2025, there were 1,902 first releases whose most serious offense was a class D felony. Of these offenders, the average stay was 2.0 years with an average sentence length of 5.4 years. If these offenders were required to serve a minimum of 37% of their sentence, the average stay would have been 2.3 years, resulting in an increase in the prison population of 380 and a decrease in the field population of 380.

If instead, these offenders were required to serve a minimum of 17% of their sentence, the average stay would have been 1.8 years. This would lead to a decrease in the prison population of 190 offenders and an increase in the field population of 190 offenders by FY 2030.

Class E Felonies (17% to 37%)

In FY 2025, there were 624 first releases who most serious offense was a class E felony. Of these offenders, the average stay was 1.7 years and the average sentence length was 3.7 years. If these offenders were required to serve a minimum of 37% of their sentence, the average stay would have been 1.7 years, resulting in no impact to the prison or field populations.

If instead those with class E felonies were required to serve a minimum of 17% of their sentence, the average stay would have been 1.4 years, resulting in a 125 offender decrease in the prison population and a 125 offender increase in the field population by FY 2029.

Cumulative Combined Estimated Impact for DOC

Low End of Range

Taken together, this proposal would decrease the prison population by 342 offenders and increase the field population by 342 offenders by FY 2035 on the low end.

	# to prison	Savings per year	Total Savings 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	(125)	(\$11,123)	\$1,446,546	2	(\$204,855)	125	\$1,241,691
Year 4	(315)	(\$11,123)	\$3,718,202	6	(\$604,687)	315	\$3,113,515
Year 5	(315)	(\$11,123)	\$3,792,566	6	(\$576,010)	315	\$3,216,556
Year 6	(382)	(\$11,123)	\$4,691,224	7	(\$688,341)	382	\$4,002,883
Year 7	(382)	(\$11,123)	\$4,785,048	7	(\$686,333)	382	\$4,098,715
Year 8	(382)	(\$11,123)	\$4,880,749	7	(\$693,620)	382	\$4,187,129
Year 9	(342)	(\$11,123)	\$4,457,070	6	(\$600,853)	342	\$3,856,217
Year 10	(342)	(\$11,123)	\$4,546,211	6	(\$607,235)	342	\$3,938,976

High End of Range

Taken together, this proposal will increase the prison population by 825 offenders and decrease the field population by 825 offenders by FY 2036 on the high end of the range.

	# to prison	Cost per year	Total Costs for prison	Change in probation & parole officers	Total savings 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	0	\$0	0	\$0
Year 4	380	(\$11,123)	(\$4,485,450)	(7)	\$664,969	(380)	(\$3,820,482)
Year 5	380	(\$11,123)	(\$4,575,159)	(7)	\$672,012	(380)	(\$3,903,147)
Year 6	547	(\$11,123)	(\$6,717,538)	(10)	\$970,191	(547)	(\$5,747,347)
Year 7	547	(\$11,123)	(\$6,851,889)	(10)	\$980,475	(547)	(\$5,871,413)
Year 8	547	(\$11,123)	(\$6,988,926)	(10)	\$990,885	(547)	(\$5,998,014)
Year 9	825	(\$11,123)	(\$10,751,703)	(16)	\$1,602,275	(825)	(\$9,149,428)
Year 10	825	(\$11,123)	(\$10,966,737)	(16)	\$1,619,294	(825)	(\$9,347,443)

Assuming population remains the same, the department assumes minimal impact that could range from 342 fewer to prison to 825 more to prison.

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 Administration - Budget and Planning** defer to the **Department of Corrections** for the potential fiscal impact of this proposal.

Responses regarding the proposed legislation as a whole

Officials from the **Office of State Courts Administrator (OSCA)** state there may be some impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

Oversight notes OSCA assumes this proposal may have some impact on their organization although it can't be quantified at this time. As OSCA is unable to provide additional information regarding the potential impact, Oversight assumes the proposed legislation will have a \$0 or (Unknown) cost to the General Revenue Fund. For fiscal note purposes, Oversight also assumes the impact will be under \$250,000 annually. If this assumption is incorrect, this would alter the fiscal impact as presented in this fiscal note. If additional information is received, Oversight will review it to determine if an updated fiscal note should be prepared and seek approval to publish a new fiscal note.

Officials from the **Department of Social Services (DSS)** state this legislation modifies the definition of "dangerous felony" to include additional crimes, which, as written, could cause the Division of Youth Services to see an increase in Dual Jurisdiction referrals, potentially impacting the number of individuals served annually by this programming. An increase in these referrals could increase the need for additional staffing and increased physical plant capacity. It is difficult to predict whether that number will be minimal or substantial and what fiscal impact may occur. Juvenile Office and judicial discretion would play into each individual youth's case, making the impact more difficult to calculate.

Oversight assumes DSS could absorb any increase with current staff and funding levels. However, if additional duties require increased staffing, the DSS may request additional funding through the appropriations process.

Officials from the **City of Kansas City** assume the proposal will have no fiscal impact on their organization. However, in response to similar legislation, SB 1294 (2026), the City of Kansas City assumed the proposed legislation has a negative fiscal impact of an indeterminate amount because it increases the city's potential liability.

Officials from the **Department of Commerce and Insurance, Department of Health and Senior Services, Department of Natural Resources, Department of Public Safety – (Division of Alcohol and Tobacco Control and Missouri Highway Patrol), Office of the Governor, Missouri Department of Agriculture, Missouri Department of Conservation, Missouri Department of Transportation, Missouri National Guard, Office of Administration, Office of the Secretary of State, Office of the State Public Defender, Office of the State Treasurer, Office of the Lieutenant Governor, Office of the State Auditor, Missouri House of Representatives, Missouri Senate, Jackson County Election Board, Platte County Board of Elections, St. Louis City Board of Elections, St. Louis County Board of Elections, Phelps County Sheriff, Kansas City Police Department, Branson Police Department, St. Louis County Police Department, Metropolitan St. Louis Sewer District, South River Drainage**

District, and Wayne County PWSD #2 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 that we have received from state agencies and political subdivisions; however, other cities, local election authorities, counties, circuit clerks, local law enforcement, utilities, and electric companies and coops were requested to respond to this proposed legislation but did not. Upon the receipt of additional responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval to publish a new fiscal note. A general listing of political subdivisions included in our database is available upon request.

<u>FISCAL IMPACT</u> – State Government	FY 2027 (10 Mo.)	FY 2028	FY 2029	Fully Implemented (FY 2035)
GENERAL REVENUE				
<u>Savings/Cost</u> – DOC (§§556.061, 557.021, 558.011) Incarceration costs p.4-8	\$0	\$0	\$1,241,691	\$3,856,217 to (\$9,149,428 to Unknown)
<u>Cost</u> – OSCA (various sections) Potential cost relating to MPT & conditional release p.9	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
ESTIMATED NET EFFECT ON GENERAL REVENUE	\$0 or (Unknown)	\$0 or (Unknown)	Less than \$1,241,691	Less than \$3,856,217 to (Could exceed \$9,149,428)
Estimated Net FTE Change on General Revenue	0 FTE	0 FTE	2 FTE	6 to (16) FTE

<u>FISCAL IMPACT</u> <u>- Local</u> <u>Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029	Fully Implemented (FY 2035)
	<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

This act modifies various provisions relating to criminal offenses, including penalties and minimum prison sentences.

The penalties for the following offenses are classified or modified as follows:

- Unlawful voting by members of the House of Representatives - class C felony (Section 21.360);
- Violation of oath or duty by examiners of the State Auditor - class E felony, except a fine shall not be less than \$100 (Section 29.080);
- Unlawful use of money by the State Treasurer - class E felony (Section 30.400);
- Interest in bids for furnishing supplies or printing by the Commissioner of Administration - class E felony, except a fine shall not be less than \$500 and not more than \$2,000 (Section 34.160);
- Resisting the militia - class E felony (Section 41.720);
- Receiving compensation, emolument, or other profit from lands held by a land reutilization authority by members or salaried employees of the land reutilization authority - class E felony (Section 92.920);
- Fraudulent use of a facsimile signature or seal of a public officer or body on a public security or instrument of payment - class E felony (Section 105.276);
- Receiving compensation, emolument, or profit from lands held by land trust by trustees or salaried employees of a land trust - class E felony (Section 141.810);
- Attempting to evade or defeat an income tax or payment of an income tax - class E felony (Section 143.911);
- Failing to collect a sales or use tax, attempting to evade or defeat a sales or use tax or the payment of such tax, overcharging a sales or use tax, and failing to file returns for sales and use taxes - class E felony (Section 144.157);
- Failing to pay a sales tax, make such returns, or keep records - class E felony (Section 144.480);
- Making a false corporation franchise tax report - class E felony (Section 147.120);

- Fraudulent payment of cigarette tax or fraudulent use of cigarette tax stamp - class E felony (Section 149.071);
- False reporting relating to the purchase and sale of cigarettes - class E felony (Section 149.076);
- Falsifying documents required for the shared care tax credit - class E felony (Section 192.2015);
- Purchasing or selling human body parts - class D felony, except a fine shall not exceed \$50,000 (Section 194.275);
- Falsifying documents of anatomical gifts - class D felony, except a fine shall not exceed \$50,000 (Section 194.280);
- Placing explosive substances in waters where fish may be injured or killed - class E felony, except a fine shall not be less than \$200 nor more than \$1,000 (Section 252.220);
- Making a profit from contracts entered into by or from moneys of a water conservancy district - class E felony, except a fine shall not exceed \$5,000 (Section 257.430);
- Violations relating to transportation, treatment, storage, or disposal of hazardous waste management and certain fraudulent activities related to the Missouri Hazardous Waste Management Law - class E felony, except a fine shall not be less than \$2,500 nor more than \$25,000 for each day of violation, and successive convictions shall be punished by a fine of not less than \$5,000 nor more than \$50,000 for each day of violation (Section 260.425);
- Branding of another person's animals - class E felony (Section 268.151);
- Violations relating to transporting intoxicating liquor - class E felony, except a fine shall not exceed \$1,000 (Section 311.460);
- Violation of duties by the Director of Finance and other officers and employees of the Division of Finance - class E felony, except a fine shall not less than \$100 and not more than \$1,000 (Section 361.290);
- Unlawful issuing or selling shares of stock in any bank or trust company - class E felony (Section 362.100);
- Making an excessive loan - class E felony, except a fine shall not exceed \$500 (Section 362.171);
- Making a false statement or representation in the application for stock of an insurance company - class E felony (Section 375.350);
- Use of money, funds, or securities of an insurance company for private profit or gain by certain officers or employees of the insurance company - class E felony (Section 375.390);
- Failure, refusal, or neglect to keep, deposit, account, or surrender securities by the Director or the Deputy Director of the Department of Commerce and Insurance - class C felony (Section 375.470);
- Falsifying or destroying accounts, books, records, or memoranda by any corporation, person, or public utility governed by the Public Service Commission or making false statements before the Public Service Commission - class E felony, except a fine shall not be less than \$1,000 nor more than \$5,000 (Section 386.560);

- Unlawfully issuing any stock, bond, note, or other debt by officers, agents, or employees of motor carriers and making false statements or representations with the Division of Motor Carrier and Railroad Safety relating to the issuing of stocks, bonds, notes, or other debts - class E felony, except a fine shall not be less than \$1,000 nor more than \$5,000 (Section 387.290);
- Unlawfully issuing any stock, bond, note, or other debt by officers, agents, or employees of telecommunications companies and making false statements or representations with the Public Service Commission relating to the issuing of stocks, bonds, notes, or other debts - class E felony, except a fine shall not be less than \$1,000 nor more than \$5,000 (Section 392.330);
- Unlawfully issuing any stock, bond, note, or other debt by officers, agents, or employees of a gas, electrical, water, or sewer corporation and making false statements or representations with the Public Service Commission relating to the issuing of stocks, bonds, notes, or other debts - class E felony, except a fine shall not be less than \$1,000 nor more than \$5,000 (Section 393.220);
- Tampering with records, documents, or evidence with intent to impede, obstruct, avoid, evade, or influence the official investigation or administration of any proceeding relating to the regulation of securities - class C felony, except a fine shall not be more than \$500,000 (Section 409.109);
- Offense of Criminal Securities Fraud - Fraudulent practices related to offer, sale, or purchase of securities under the Missouri Securities Act of 2003 (Uniform Securities Act) - class C felony (Section 409.5-501 and 409.5-508);
- Criminal Securities Violation - Making false or misleading statements in a record used in an action, proceeding, or filing under the Missouri Securities Act of 2003 (Uniform Securities Act) - class C felony, except if the violation was committed against an elderly or disabled person, then the fine shall not be less than \$50,000 (Sections 409.5-505 and 409.5-508);
- Criminal Securities Violation - Willfully violating the Missouri Securities Act of 2003 (Uniform Securities Act) - class C felony, except if the violation was committed against an elderly or disabled person, then the fine shall not be less than \$50,000 (Section 409.5-508);
- Issuing a receipt of grain not received by or under the control of the warehouseman- class E felony (Section 411.611);
- Fraudulently issuing a receipt of grain by a warehouseman - class E felony (Section 411.621);
- Improper delivery of grain with an outstanding and uncanceled receipt by a warehouseman - class E felony (Section 411.641);
- Depositing grain without title or upon which there is a lien or mortgage with the intent to defraud - class E felony, except a fine shall not exceed \$5,000 (Section 411.651);
- Offense of rape in the first degree - class A felony (Section 566.030);
- Offense of rape in the first degree with an aggravated sexual offense or a victim who is a child less than 14 years of age - life imprisonment (Section 566.030);
- Offense of statutory rape in the first degree - class A felony (Section 566.032);

- Offense of sodomy in the first degree - class B felony (Section 566.060);
- Offense of sodomy in the first degree with an aggravated sexual offense or a victim who is less than 12 years of age - class A felony (Section 566.060);
- Offense of statutory sodomy - class B felony (Section 566.062);
- Offense of statutory sodomy with an aggravated sexual offense - class A felony (Section 566.062);
- Offense of child molestation - class A felony (Section 566.067);
- Offense of promoting online sexual solicitation - class E felony, except a fine of \$5,000 per day in violation after the 72-hour notice may be assessed (Section 566.103);
- Offense of enticement of a child - class B felony (Section 566.151);
- Offense of abuse through forced labor - class B felony, except a fine not more than \$250,000 may be assessed (Section 566.203);
- Offense of abuse through forced labor where death results, or the violation includes kidnapping or the attempt to kidnap, sexual abuse or attempt of sexual abuse punishable as a class B felony, or attempt to kill - class A felony, except a fine shall not be more than \$250,000 (Section 566.203);
- Offense of trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor - class B felony, except a fine shall not be more than \$250,000 (Section 566.206);
- Offense of trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor where death results, or the violation includes kidnapping or the attempt to kidnap, sexual abuse or attempt of sexual abuse punishable as a class B felony, or attempt to kill - class A felony, except a fine shall not be more than \$250,000 (Section 566.206);
- Offense of trafficking for the purposes of sexual exploitation - class B felony, except a fine shall not be more than \$250,000 (Section 566.209);
- Offense of trafficking for the purposes of sexual exploitation if effected by force, abduction, or coercion - class A felony, except a fine shall not be more than \$250,000 (Section 566.209);
- Offense of sexual trafficking of a child in the first degree - life imprisonment without eligibility for probation or parole (Section 566.210);
- Offense of sexual trafficking of a child in the second degree - class A felony (Section 566.211);
- Offense of sexual trafficking of a child in the second degree if effected by force, abduction, or coercion - class A felony (Section 566.211);
- Offense of promoting prostitution in the first degree if the offense involves compelling prostitution - class B felony (Section 567.050);
- Offense of promoting prostitution if promotion of prostitution is of a person less than 16 years of age and the offender owns, manages, or operates an interactive computer service or conspires with intent to promote prostitution and if the offender acts with a reckless disregard of which the conduct contributed to trafficking - class A felony (Section 567.050);
- Offense or promoting prostitution if the person is less than 16 years of age - class A felony (Section 567.050);

- Offense of abuse or neglect of a child - class D felony (Section 568.060);
- Offense of abuse or neglect of a child if a subsequent offense or if the injury inflicted on the child is a serious emotional injury or serious physical injury - class A felony (Section 568.060);
- Offense of armed criminal action - class B felony (Section 571.015);
- Second offense of armed criminal action - class A felony (Section 571.015);
- Third or subsequent offense of armed criminal action - life without the possibility of probation or parole (Section 571.015);
- Felonies committed for the benefit of, at the direction of, or in association with any criminal street gang - class E felony (Section 578.425);
- Felonies committed for the benefit of, at the direction of, or in association with any criminal street gang where the underlying felony is committed near a school - class D felony (Section 578.425);
- Failing to register as a sex offender as a third offense - class A felony (Section 589.425);
- Making a false entry in accounts of carriers, corporations, or persons regulated by the Division of Motor Carrier and Railroad Safety - class E felony, except a fine shall not be less than \$1,000 nor more than \$5,000 (Section 622.470);
- Second and subsequent violations of law relating to asbestos abatement - class E felony, except the fine shall not be more than \$50,000 per day of violation (Section 643.250);
and
- Making false statements, representations, or certifications in connection with documents filed or tampering with monitoring devices required under the Missouri Clean Water Law - class E felony (Section 644.076).

This act additionally modifies the class one and two election offense to provide for a term of imprisonment not more than four years (Sections 115.405, 115.631, and 115.633). Additionally, the offense of tampering with a witness or a victim where the original charge is a felony shall be one felony charge lower than that of the original charge, instead of a class D felony. (Section 575.270)

This act modifies the definition of "dangerous felony" to include statutory rape in the first degree and statutory sodomy in the first degree, regardless of the age of victim. Additionally, the act includes the following offenses in the definition of "dangerous felony":

- Trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor, or the attempt of such offense, when punished as a class A felony;
- Trafficking for the purposes of sexual exploitation, or the attempt of such offense, when punished as a class A felony;
- Sexual trafficking of a child in the first degree;
- Sexual trafficking of a child in the second degree; and
- Third offense of failing to register as a sex offender. (Section 556.061)

This act also modifies jail time credit. This act requires the form developed by the Office of the State Courts Administrator for offenders committed to the Department of Corrections to include

a sentencing calculation, including jail time credit supplemented by a certificate of a sheriff or custodial officer. The act further requires the court, when pronouncing as sentence, executing a suspended sentence, or suspending the imposition of a sentence, to record as part of the judgment, the number of days before the pronouncement of the sentence that the person was in prison, jail, or custody which was related to the offense. The court shall retain jurisdiction to rule on motions challenging the number of days of jail time credit (Sections 217.305 and 558.031)

This act repeals the provisions requiring minimum prison terms for certain offenses and provides that offenders shall serve the following minimum percentage of the imposed term based upon the felony classification as follows:

- Class A: 60% to 80%
- Class B: 40% to 60%
- Class C: 30% to 50%
- Class D: 17% to 37%
- Class E: 17% to 37%

Current law provides that offenders guilty of a dangerous felony shall be required to serve a minimum prison term of 85% of the sentence imposed by the court or until the offender attains 70 years of age and has served at least 40% of the sentence imposed. This act repeals the 40% minimum prison term for offenders of dangerous felonies who have attained the age of 70. In cases where the sentencing court does not impose a specific term of imprisonment required to be served, the minimum percentage of the range associated with the felony class shall be the required percentage of the term to be served. Additionally, this act repeals provisions relating to conditional release by the Parole Board. (Sections 558.011 and 558.019)

The act also repeals specific minimum prison terms and eligibility for probation and parole for following offenses: rape in the first degree, sodomy in the first degree, enticement of a child, sexual trafficking of a child in the first and second degree, abuse or neglect of a child, armed criminal action, unlawful use of weapons, promoting child pornography in the first degree, aggravated fleeing a stop or detention, tampering with a witness or victim, driving while intoxicated if a chronic or habitual offender, felonies connected with a criminal street gang, and failing to register as sex offender as a third offense (Sections 566.030, 566.060, 566.151, 566.210, 566.211, 568.060, 570.030, 571.015, 571.030, 573.025, 575.151, 575.270, 577.010, 578.425, and 589.425)

For consecutive sentences, the sentencing court shall calculate the minimum percentage of term by taking half the term of years for each felony offense and adding the half number together to determine the total number of years required to be served prior to parole eligibility. For concurrent sentences, the offender shall be required to serve the minimum prison term for each offense. (Section 558.026)

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 Health and Senior Services
Department of Natural Resources
Department of Corrections
Department of Revenue
Department of Public Safety
 Division of Alcohol and Tobacco Control
 Missouri Highway Patrol
Department of Social Services
Office of the Governor
Missouri Department of Agriculture
Missouri Department of Conservation
Missouri Department of Transportation
Missouri National Guard
Office of Administration
 Budget and Planning
Office of the State Courts Administrator
Office of the Secretary of State
Office of the State Public Defender
Office of the State Treasurer
Missouri House of Representatives
Missouri Senate
Office of the Lieutenant Governor
Office of the State Auditor
Jackson County Election Board
Platte County Board of Elections
St. Louis City Board of Elections
St. Louis County Board of Elections
Phelps County Sheriff
Branson Police Department
Kansas City Police Department
St. Louis County Police Department

L.R. No. 5552S.01I
Bill No. SB 894
Page **18** of **18**
February 17, 2026

Metropolitan St. Louis Sewer District
South River Drainage District
Wayne County PWSD #2



Julie Morff
Director
February 17, 2026



Jessica Harris
Assistant Director
February 17, 2026