

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 5600S.01I  
 Bill No.: SB 854  
 Subject: Courts; Crimes and Punishment; Department of Public Safety; Office of Administration; Criminal Procedure; Law Enforcement Officers and Agencies; Highway Patrol  
 Type: Original  
 Date: February 17, 2026

Bill Summary: This proposal creates provisions relating to expungement.

**FISCAL SUMMARY**

**ESTIMATED NET EFFECT ON GENERAL REVENUE FUND**

| FUND AFFECTED  | FY 2027                            | FY 2028                            | FY 2029                            | Fully Implemented (FY 2030)            |
|--|------------------------------------|------------------------------------|------------------------------------|--|
| General Revenue*                                     | (Could exceed \$36,700,031)        | (Could exceed \$49,917,006)        | (Could exceed \$50,464,466)        | (Likely to exceed \$50,464,466)        |
| <b>Total Estimated Net Effect on General Revenue</b> | <b>(Could exceed \$36,700,031)</b> | <b>(Could exceed \$49,917,006)</b> | <b>(Could exceed \$50,464,466)</b> | <b>(Likely to exceed \$50,464,466)</b> |

\* Oversight notes litigation exposure as described by OA could apply to the General Revenue Fund. It is assumed costs could exceed \$250,000 annually.

Numbers within parentheses: () indicate costs or losses.

**ESTIMATED NET EFFECT ON OTHER STATE FUNDS**

| FUND AFFECTED   | FY 2027                 | FY 2028                 | FY 2029                 | Fully Implemented (FY 2030) |
|---|-------------------------|-------------------------|-------------------------|-----------------------------|
| State Legal Expense*/**                                       | \$0                     | \$0                     | \$0                     | \$0                         |
| College and University**                                      | \$0 or (Unknown)        | \$0 or (Unknown)        | \$0 or (Unknown)        | \$0 or (Unknown)            |
| Other/Variou State**  | \$0 or (Unknown)        | \$0 or (Unknown)        | \$0 or (Unknown)        | \$0 or (Unknown)            |
| Missouri Expungement***                                       | \$0                     | \$0                     | \$0                     | \$0                         |
|   |                         |                         |                         |                             |
| <b>Total Estimated Net Effect on <u>Other State Funds</u></b> | <b>\$0 or (Unknown)</b> | <b>\$0 or (Unknown)</b> | <b>\$0 or (Unknown)</b> | <b>\$0 or (Unknown)</b>     |

\* Transfer-In and expenses net to zero.

\*\* Oversight notes litigation exposure as described by OA could apply to the State Legal Expense fund, various other state funds and Colleges and Universities. It is assumed costs could exceed \$250,000 annually.

\*\*\* Transfers-in, gifts, grants, bequests and expenses net to \$0

**ESTIMATED NET EFFECT ON FEDERAL FUNDS**

| FUND AFFECTED   | FY 2027                                | FY 2028                                  | FY 2029                                  | Fully Implemented (FY 2030)              |
|---|--|--|--|--|
| Federal*/**   | \$0 or (Could exceed \$555,876)        | \$0 or (Could exceed \$1,111,753)        | \$0 or (Could exceed \$2,779,382)        | \$0 or (Could exceed \$5,558,765)        |
|   |  |  |  |  |
| <b>Total Estimated Net Effect on <u>All Federal Funds</u></b> | <b>\$0 or (Could exceed \$555,876)</b> | <b>\$0 or (Could exceed \$1,111,753)</b> | <b>\$0 or (Could exceed \$2,779,382)</b> | <b>\$0 or (Could exceed \$5,558,765)</b> |

\*Oversight notes litigation exposure as described by OA could apply to federal funds. It is assumed costs could exceed \$250,000 annually.

\*\*Potential loss due to non-compliance with Federal Motor Carrier Safety Regulations

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

| FUND AFFECTED                            | FY 2027                     | FY 2028                     | FY 2029                     | Fully Implemented (FY 2030) |
|--|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
| Missouri Expungement                     | Could exceed 344 FTE        | Could exceed 487 FTE        | Could exceed 487 FTE        | Could exceed 487 FTE        |
| <b>Total Estimated Net Effect on FTE</b> | <b>Could exceed 344 FTE</b> | <b>Could exceed 487 FTE</b> | <b>Could exceed 487 FTE</b> | <b>Could exceed 487 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 2030) |
|------------------------------|-------------------------|-------------------------|------------------|-----------------------------|
|                              |                         |                         |                  |                             |
| <b>Local Government**/**</b> | <b>\$0 or (Unknown)</b> | <b>\$0 or (Unknown)</b> | <b>(Unknown)</b> | <b>(Unknown)</b>            |

\*Oversight notes litigation exposure as described by OA could apply to local governments.  
 \*\*Unknown costs associated with expunging records.

## FISCAL ANALYSIS

### ASSUMPTION

#### §§610.141, 610.142, 610.143, and 610.144 - Expungement

Officials from the **Department of Public Safety (DPS) - Missouri Highway Patrol (MHP)** state currently, there are approximately 11,200,000 conviction records in the Traffic Arrest System/Driving While Intoxicated Tracking System (TAS/DWITS) that could possibly meet the criteria of this proposed legislation. This does not include driving while intoxicated-related offenses as these are excluded from expungement pursuant to §610.140. These expungements are processed by the Patrol Records Division. In addition, the MHP anticipates receiving over 380,000 Criminal History Records System expungement requests per year. These requests are processed within the Patrol by the Criminal Justice Information Services (CJIS) Division. Once the court expungement order is received by the MHP, the Patrol Records Division and the CJIS Division personnel would be required to make certain the individual(s) meets the criteria for expungement noted in this legislation. There are not enough existing Patrol personnel to handle the potential increased volume of expungement requests resulting from this proposed legislation. The Patrol is factoring a range as for the number of personnel needed in order to provide an idea of what the costs may be. In addition, there is an average of 300,000 court dispositions with the offense class of misdemeanor, infraction, or local ordinance and a finding of guilty or guilty-SIS added to TAS/DWITS each year.

This legislation has a proposed effective date of August 28, 2029. The Patrol anticipates the need to begin building the design and bid process for the technical interface with the courts in FY27. The Patrol will also need to start the process of hiring and training personnel in FY27 in an effort to be prepared for the implementation as required in §§610.141.2(1) and 610.141.3(2). Included within the costs would be leased space, a computer system software upgrade, and expense and equipment such as office equipment and computers.

#### Patrol Records Division (PRD)

The Patrol will process the requested expungements within two separate divisions. Those divisions are identified as the Patrol Records Divisions (PRD) and the Criminal Justice Information Services (CJIS) Division. Each division is tasked with varying processes for each expungement type.

The MHP calculates that one (1) Patrol Records Division (PRD) FTE can process approximately 3,728 expungements per year. Currently, there are approximately 11,200,000 records in the TAS/DWITS with Guilty, or Guilty-Suspended Imposition of Sentence (SIS) dispositions. (These do not include DWI-related offenses, which are excluded from expungement pursuant to §610.140. Some of the 11 million records will be expunged pursuant to the passage of Amendment 3 in 2022.)

If only 1% of the individuals who qualified to have his or her record expunged pursuant to this proposed bill were granted an expungement order by the court, there would be approximately 112,000 initial expungement orders submitted to the Patrol, which would require 30 FTE (112,000 expungement order/3,728 expungements per year for PRD FTE = 30 FTE). However, considering this bill automates the expungement process and excludes the filing of a petition for expungement, a 15% or more expungement of records is not unrealistic. A 15% expungement of TAS/DWITS records would require 450 FTE (11,200,000\*15% = 1,680,000 expungements/3,728 expungements per year per PRD FTE = 450.6 FTE). Additionally, there is an average of 300,000 court dispositions with the offense class of misdemeanor, infraction, or local ordinance and a finding of guilty or guilty-SIS added to the TAS/DWITS each year. This provides the potential for a commensurate number of expungement orders each year after the initial eligible petitions were processed.

- 1 FTE = 1,864 hours (avg. work hours/year) x 60 minutes/hr = 111,840 minutes per year;
- 30 minutes per petition to log, process, research, review, and expunge information/record when the order is received (111,840 minutes/30 minutes per petition) = 3,728 expungements/yr/FTE

With the current 11,200,000 records possibly eligible for expungement, the following percentages of persons actually receiving an expungement will directly relate to the number of Patrol Records Division FTE (PRD Program Assistant required):

$$\begin{aligned} 1\% &= 11,200,000 \times .01 = 112,000 / 3,728 = 30 \text{ FTE} \\ 5\% &= 11,200,000 \times .05 = 560,000 / 3,728 = 150 \text{ FTE} \\ 10\% &= 11,200,000 \times .10 = 1,120,000 / 3,728 = 300 \text{ FTE} \\ 15\% &= 11,200,000 \times .15 = 1,680,000 / 3,728 = 450 \text{ FTE} \\ 20\% &= 11,200,000 \times .20 = 2,240,000 / 3,728 = 600 \text{ FTE} \end{aligned}$$

Using the 15% figure above, a total of 45 FTE would warrant the positions be classified as Senior Program Specialist (Supervisory).

The Patrol Records Division would have to find additional office space to accommodate 450 FTE needed to process only 15% of the possible expungements. There would be recurring costs for office supplies and phone charges per FTE.

#### Criminal Justice Information System (CJIS)

Based on the Patrol's experience with expunging and vacating records related to the Constitutional Amendment XIV, the Patrol estimates it will receive at least four (4) times the number of orders as compared to those received related to Constitutional Amendment XIV. However, it continues to work on a data analysis to further refine its estimates.

On average, the Patrol's CJIS Division receives approximately 2,000 orders per week related to the Constitutional Amendment XIV or 8,000 orders per month. On average one (1) CJIS Program Assistant can process 480 orders per week or 1,920 orders per month.

8,000 orders per month x 4 = 32,000 orders per month under the proposed \$610.140.

32,000 expungement orders year / 1,920 orders per staff = 16.66 FTE needed.

The CJIS Division estimates it would need a minimum of 17 CJIS Program Assistants to process the request along with 2 CJIS Senior Program Specialists/Supervisor and 1 Program Coordinator for a total of 20 FTE. Additional office space would be needed for this new requirement. This does not account for review by MSHP legal counsel.

The MHP states without space available for the additional personnel needed to fulfill the requirements of this legislation, the Patrol would need leased space for the additional employees. A cost range is based on existing leased space in Cole County. The Patrol used the FY27 Budget Instructions for Expense and Equipment Guidelines for New Staff and its costs for computer equipment to calculate the cost of the FTE (187 low and 480 high) required of this proposal.

**Oversight** notes per OA- Budget and Planning's Budget Instructions for FY27, agencies are to use 250 sq. ft./ FTE. The regional rental rate for Jefferson City is \$18/ sq. ft., janitorial rates are \$2.47/sq. ft. and utility rates are \$2.80/ sq. ft.; therefore, the total cost per sq.ft. is \$23.27/FTE.

For the Patrol's estimated low-end number of 187 additional employees (expunging 5% of records), approximately 46,750 square feet would be needed (187 employees x 250 square feet) and for 480 employees (expunging 15% of records), approximately 120,000 sq. ft. would be needed (480 employees x 250 sq. ft.). Therefore, the total estimated annual leasing costs in Cole County for 187 FTE would be \$1,087,873. The estimated annual leasing costs for 840 FTE would be \$2,792,400.

Oversight notes the MHP has modified its response from similar legislation in prior years (HB 352, 2022). Rather than hiring temporary staff, the MHP believes the FTEs needed to fulfill the requirements of this legislation will be permanent, full-time staff. Oversight notes the Patrol assumes it could hire between 187 and 480 FTE. For fiscal note purposes, Oversight will range associated costs as "could exceed" the lowest estimate provided.

**MHP** officials state the Patrol does not have the technical capabilities with the current criminal history system nor does it have the interfaces with OSCA needed for this requirement. Therefore, the CJIS Division estimates the technical interface will cost \$1,500,000 to \$2,250,000 based on other criminal history related projects with the current criminal history vendor. A project of this magnitude would take approximately 3 years to complete which would go well beyond the August 28, 2029, requirement.

**Oversight** notes beginning August 28, 2029, on a monthly basis, the Office of the State Courts Administrator (OSCA) is to identify and transmit eligible expungements to the Central Repository within 30 days of the record becoming eligible for expungement. Records that are eligible for expungement on or before August 28, 2026, are to be identified and expunged by August 28, 2031.

Oversight will present \$1,500,000 to \$2,250,000 in costs for the MHP's Criminal History System's upgrade to expunge records in FY27. Assuming funds would not be appropriated for this upgrade in the FY27 budget, MHP believes it would be required to submit a supplemental appropriation request. By placing the costs in FY27, a new decision item could be submitted in the FY27 budget request to cover this cost.

Oversight also notes §610.141 states beginning August 28, 2029, all records and files maintained in any administrative or court proceeding in a municipal, associate, or circuit court shall be closed without the filing of a petition.

Officials from the **Office of State Courts Administrator (OSCA)** state the fiscal impact on Show-Me Courts and possibly other systems would be approximately \$3,000,000 to \$5,000,000 to develop with an annual cost of approximately \$1,000,000 to manage the system.

OSCA notes the proposed legislation includes directives to the State Courts Administrator that would require no less than 13 FTE with a personal services cost of \$903,148, fringe benefit costs of \$557,062 and expense and equipment costs of \$263,548 (\$136,006 one-time cost), for a total cost of approximately \$1,723,758.

Additionally, a minimum of \$12,710,174 personal service costs for 287 FTE court clerks or equivalent at OSCA plus \$854,686 (\$607,579 one-time equipment cost; \$247,107 on-going expenses) totaling \$13,564,860 would be needed to process the approximate electronic expungement cases, to an unknown amount of FTE. (Oversight calculated fringe benefit costs for 287 FTE.)

**Oversight** has no information to the contrary. Oversight assumes OSCA would hire the 13 FTE needed to create and establish the program as well as the \$3,000,000 to \$5,000,000 to develop the program in FY27.

Oversight further assumes OSCA would not hire 287 court clerk FTE in FY27. For fiscal note purposes, Oversight will present OSCA as hiring up to 144 FTE for FY27 and the additional 143 FTE in FY28. FTE and costs for FY29 will be presented as "Could exceed..." as OSCA states the court clerk FTE are considered a minimum.

Oversight notes §610.144 establishes a new fund which consists of moneys appropriated by the General Assembly to the fund or any gifts, bequests, or grants. The Department of Public Safety, the Information Services Division within the Office of Administration and Office of the State Courts Administrator will be able to expend moneys from this fund, upon appropriation, for

implementation costs, system upgrades or staffing needs incurred under §§610.141 to 610.143. For fiscal note purposes, Oversight will reflect the cost for this program as **(Could exceed \$36,784,855) for FY27; (Could exceed \$50,020,831) for FY28; (Could exceed \$50,570,367) for FY29; and (Likely to exceed \$50,570,367) for FY30** to the General Revenue Fund. Additionally, Oversight also assumes an unknown income to the Missouri Expungement Fund from gifts, grants, or donations.

For fiscal note purposes, Oversight assumes services provided under this proposal will equal income and net to zero.

Officials from the **Department of Corrections (DOC)** state this legislation creates provisions relating to expungement.

Expunging these records for the specified offenses in §610.141, through destruction, or removal will result in an increase in workload for the Department's Institutional Records Officers, as they are the custodian of records for DOC's offender files. This may also affect records kept at Probation and Parole Offices.

While the department assumes a \$0 - Unknown impact, there is some concern for tracking previous medical, mental health, substance use treatment, and education records should the offender return to supervision by the DOC. The DOC anticipates the unknown impact will exceed \$250,000 annually.

**Oversight** does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect a \$0 (can absorb) to DOC's (unknown) impact to General Revenue beginning FY30 since §610.141 provides that records will be closed beginning August 28, 2029.

Officials from the **Missouri Department of Transportation (MODOT)** state this bill could allow for automatic expungement of commercial motor vehicle disqualifying offenses. This could result in a variance with Federal Motor Carrier Safety Regulations (FMCSRs). If prior convictions are wholly expunged from the criminal records, CMV drivers who would be disqualified under 49 CFR 391.15 would be allowed to drive.

In addition, 49 CFR 392.4 prohibits possession or use of any Schedule 1 substance. With marijuana being a Schedule 1 substance at the federal level, commercial motor vehicle drivers are prohibited from possessing and using marijuana in a CMV while on duty.

If a variance with federal law is found, Federal Motor Carrier Safety Administration (FMCSA) Program funding (MCSAP) could be withheld. Missouri's FY26 MCSAP award is anticipated to be around \$11,117,529.

The penalty imposed upon states found to be in non-compliance can be as harsh as withholding all MCSAP funding, or potential withholding amounts are as follows:

|  |             |
|--|-------------|
| YEAR 0 (during the FY that FMCSA notifies Missouri of its noncompliance): up to 5% | \$555,876   |
| YEAR 1 (next full fiscal year): up to 10%  | \$1,111,753 |
| YEAR 2 (2nd full fiscal year): up to 25%   | \$2,779,382 |
| YEAR 3+ (ongoing until variance resolved): not more than 50%.                      | \$5,558,765 |

**Oversight** does not have information to the contrary and, therefore, Oversight will reflect the potential loss of federal funding as provided by MoDOT. Oversight will reflect the fiscal impact as \$0 (Missouri is not found to be out of compliance) up to the amounts listed above (Missouri is found to be out of compliance of federal rules).

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.

Officials from the **Department of Revenue (DOR)** state §610.141.2(2) provides that records pertaining to juvenile adjudications or offenses involving the operation of a motor vehicle are not eligible for automated expungement. The department anticipates that it would continue to receive court orders of expungement for any conviction or action related to these sections to be reviewed and processed manually by the department; §610.141.3(10) states the DOR has thirty (30) days to expunge the records once the order is received from the court; and §610.141.6 states that the provisions of this section shall apply retroactively.

DOR officials provide that with the statutory requirement of thirty (30) days to process the expungement, and the provisions applying retroactively, the department is concerned that its existing staff may not be able to process the volume of orders in the mandated timeframe. There is no data to assist in determining the volume of orders the DOR will receive. If the increase is more than anticipated, and is unable to be absorbed by existing staff, additional FTE may be requested through the appropriations process.

**Oversight** does not have any information to the contrary. Therefore, Oversight will reflect no fiscal impact for this agency.

Officials from the **Office of Administration (OA)** state from the plain language of this bill (§610.143), it appears that a state agency obtaining a credit report could be a “user of information”. This has the potential to increase costs to the state Legal Expense Fund (LEF) for actions alleging violation by a state employee in connection with their official duties on behalf of

the state. This would be subject to judicial interpretation; therefore, potential costs to the state are unknown.

Because this bill creates a possible new cause of action, **Oversight** will show a net \$0 direct fiscal impact for the LEF, and a possible \$0 to (unknown) fiscal impact to General Revenue and other state funds. Oversight notes this possible litigation exposure as described by OA could also apply to colleges and universities, federal funds, as well as local political subdivisions. It is further assumed the unknown litigation fiscal impact could exceed \$250,000 annually.

In response to similar legislation, HB 2047 (2026), officials from the **City of Kansas City** stated the proposed legislation has a negative fiscal impact of an indeterminate amount because it will require additional staff as the bill requires staff to manually search for individuals to determine if they have a misdemeanor or felony convictions. Additionally, this allows the clean slate after 1 year with no convictions. Many times, the criminal justice system process (especially at the misdemeanor or felony level) takes more than 1 year.

Officials from the **St. Louis County Police Department** state this legislation would require the expungement of various offenses by 2029. Due to the variety of eligible offenses and requirements, it is difficult to determine an exact cost. The legislation would require additional manpower in the police record room to process the petitions; therefore, the cost is unknown, but significant.

**Oversight** notes the cost of additional personnel and other costs required by the City of Kansas City and St. Louis County Police Department to implement the provisions of this proposal. Oversight is unable to project a statewide cost. Therefore, the impact to local governments will be presented as (Unknown).

Officials from the **Department of Commerce and Insurance, Department of Labor and Industrial Relations, Department of Public Safety – Director’s Office, Department of Social Services, Office of the Governor, Office of the State Public Defender, Office of the State Treasurer, City of Kansas City, Phelps County Sheriff, Kansas City Police Department, and Missouri Lottery Commission** 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.

In response to similar legislation, SB 19 (2025), officials from the **Missouri Office of Prosecution Services** assumed the proposal would 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 this agency.

**Oversight** only reflects the responses that we have received from state agencies and political subdivisions; however, other cities, various county officials, and local law enforcement agencies 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 –<br/>State Government</u>   | FY 2027<br>(10 Mo.)                    | FY 2028                                | FY 2029                                | Fully<br>Implemented<br>(FY 2030)              |
|---|--|--|--|--|
| <b>GENERAL REVENUE</b>  |  |  |  |  |
| <u>Cost – DOC (§610.141)<br/>Expungement of records<br/>p.8</u>   | \$0                                    | \$0                                    | \$0                                    | \$0 to<br>(Unknown)                            |
| <u>Cost – (§610.143)<br/>Potential increase in<br/>Legal Expense Fund<br/>payments for increase in<br/>claims p.9-10</u>          | \$0 or<br>(Unknown)                    | \$0 or<br>(Unknown)                    | \$0 or<br>(Unknown)                    | \$0 or<br>(Unknown)                            |
| <u>Transfer Out – To the<br/>Missouri Expungement<br/>Fund p.7-8</u>  | (Could exceed<br>\$36,700,031)         | Could exceed<br>\$49,917,006           | Could exceed<br>\$50,464,466           | Likely to<br>exceed<br>\$50,464,466            |
| <b>ESTIMATED NET<br/>EFFECT ON<br/>GENERAL REVENUE</b>  | <b>(Could exceed<br/>\$36,700,031)</b> | <b>(Could exceed<br/>\$49,917,006)</b> | <b>(Could exceed<br/>\$50,464,466)</b> | <b>(Likely to<br/>exceed<br/>\$50,464,466)</b> |
| <b>STATE LEGAL<br/>EXPENSE FUND<br/>(1692)</b>  |  |  |  |  |
| <u>Transfer In - (§610.143)<br/>From GR, Federal, and<br/>Other State Funds -<br/>potential increase in<br/>claims<br/>p.9-10</u> | \$0 or<br>Unknown                      | \$0 or<br>Unknown                      | \$0 or<br>Unknown                      | \$0 or<br>Unknown                              |

| <u>FISCAL IMPACT –<br/>State Government</u>   | FY 2027<br>(10 Mo.)                | FY 2028                            | FY 2029                            | Fully<br>Implemented<br>(FY 2030)  |
|---|------------------------------------|------------------------------------|------------------------------------|------------------------------------|
| <u>Transfer Out -<br/>(\$610.143) Payment of<br/>discrimination claims<br/>p.9-10</u>                               | \$0 or<br><u>(Unknown)</u>         | \$0 or<br><u>(Unknown)</u>         | \$0 or<br><u>(Unknown)</u>         | \$0 or<br><u>(Unknown)</u>         |
| <b>ESTIMATED NET<br/>EFFECT ON THE<br/>LEGAL EXPENSE<br/>FUND</b>   | <b><u>\$0</u></b>                  | <b><u>\$0</u></b>                  | <b><u>\$0</u></b>                  | <b><u>\$0</u></b>                  |
| <b>COLLEGE AND<br/>UNIVERSITY FUNDS</b>   |                                    |                                    |                                    |                                    |
| <u>Cost – Colleges &amp;<br/>Universities (\$610.143)<br/>Potential increase in<br/>claims p.9-10</u>               | \$0 or<br><u>(Unknown)</u>         | \$0 or<br><u>(Unknown)</u>         | \$0 or<br><u>(Unknown)</u>         | \$0 or<br><u>(Unknown)</u>         |
| <b>ESTIMATED NET<br/>EFFECT ON<br/>COLLEGE AND<br/>UNIVERSITY FUNDS</b>   | <b><u>\$0 or<br/>(Unknown)</u></b> | <b><u>\$0 or<br/>(Unknown)</u></b> | <b><u>\$0 or<br/>(Unknown)</u></b> | <b><u>\$0 or<br/>(Unknown)</u></b> |
| <b>OTHER STATE<br/>FUNDS</b>  |                                    |                                    |                                    |                                    |
| <u>Cost – (\$610.143)<br/>Potential increase in<br/>payments of claims to<br/>the Legal Expense Fund<br/>p.9-10</u> | \$0 or<br><u>(Unknown)</u>         | \$0 or<br><u>(Unknown)</u>         | \$0 or<br><u>(Unknown)</u>         | \$0 or<br><u>(Unknown)</u>         |
| <b>ESTIMATED NET<br/>EFFECT ON<br/>OTHER/VARIOUS<br/>STATE FUNDS</b>  | <b><u>\$0 or<br/>(Unknown)</u></b> | <b><u>\$0 or<br/>(Unknown)</u></b> | <b><u>\$0 or<br/>(Unknown)</u></b> | <b><u>\$0 or<br/>(Unknown)</u></b> |

| <u>FISCAL IMPACT –<br/>State Government</u>  | FY 2027<br>(10 Mo.)             | FY 2028                      | FY 2029                      | Fully<br>Implemented<br>(FY 2030)   |
|--|---------------------------------|------------------------------|------------------------------|-------------------------------------|
| <b>MISSOURI<br/>EXPUNGEMENT<br/>FUND</b>   |                                 |                              |                              |                                     |
| <u>Revenue Gain –</u><br>(\$610.144) Gifts, grants,<br>donations p.7-8   | \$0                             | \$0                          | \$0 or<br>Unknown            | \$0 or<br>Unknown                   |
| <u>Transfer In –</u> (§§610.141<br>-610.144) From General<br>Revenue p.7-8                                     | Could exceed<br>\$36,700,031    | Could exceed<br>\$49,917,006 | Could exceed<br>\$50,464,466 | Likely to<br>exceed<br>\$50,464,466 |
| <u>Cost – OSCA</u><br>(§§610.141 - 610.144)<br>To expunge records p.8  | Up to                           | Up to                        | Could exceed                 | Likely to<br>exceed                 |
| Personal service   | (\$6,066,977)                   | (\$13,885,536)               | (\$14,163,246)               | (\$14,163,246)                      |
| Fringe benefits  | (\$4,561,958)                   | (\$10,468,085)               | (\$10,580,850)               | (\$10,580,850)                      |
| Equipment & expense  | (\$650,459)                     | (\$684,873)                  | (\$389,785)                  | (\$389,785)                         |
| <u>Total Costs - OSCA</u>  | <u>(\$11,279,394)</u>           | <u>(\$25,038,494)</u>        | <u>(\$25,133,881)</u>        | <u>(\$25,133,881)</u>               |
| FTE Change - OSCA  | Up to 157 FTE                   | Up to 300 FTE                | Could exceed<br>300 FTE      | Could exceed<br>300 FTE             |
| <u>Cost - OSCA</u><br>(§§610.141 - 610.144)<br>Show-Me Courts &<br>Other System updates<br>and maintenance p.8 | (\$3,000,000 to<br>\$5,000,000) | (\$1,000,000)                | (\$1,000,000)                | (\$1,000,000)                       |
| <u>Cost – DPS-MHP</u><br>(§610.141 to 610.144)<br>To expunge records<br>p.4-6                                  | Could exceed                    | Could exceed                 | Could exceed                 | Likely to<br>exceed                 |
| Personal service   | (\$9,863,283)                   | (\$12,072,659)               | (\$12,314,112)               | (\$12,314,112)                      |
| Fringe benefits  | (\$8,603,742)                   | (\$10,530,980)               | (\$10,741,600)               | (\$10,741,600)                      |
| Equip. & expense   | (\$1,547,051)                   | (\$187,000)                  | (\$187,000)                  | (\$187,000)                         |
| <u>Total Costs – MHP</u>   | <u>(\$20,014,076)</u>           | <u>(\$22,790,639)</u>        | <u>(\$23,242,712)</u>        | <u>(\$23,242,712)</u>               |
| FTE Change – MHP   | Could exceed<br>187 FTE         | Could exceed<br>187 FTE      | Could exceed<br>187 FTE      | Could exceed<br>187 FTE             |

| <u>FISCAL IMPACT –<br/>State Government</u>  | FY 2027<br>(10 Mo.)                                   | FY 2028   | FY 2029   | Fully<br>Implemented<br>(FY 2030)                       |
|--|---|---|---|---|
| <u>Cost – DPS-MHP</u><br>(§§610.141 to 610.144)<br>Leased space for 187 to<br>480 FTE p.4-6                    | (Could exceed<br>\$906,561)                           | (Could exceed<br>\$1,087,873)                           | (Could exceed<br>\$1,087,873)                           | (Could exceed<br>\$1,087,873)                           |
| <u>Cost – DPS-MHP</u><br>(§§610.141 to 610.144)<br>Criminal History System<br>upgrade p.6-7                    | (\$1,500,000 to<br>\$2,250,000)                       | \$0   | \$0   | \$0   |
| <b>ESTIMATED NET<br/>EFFECT ON THE<br/>MISSOURI<br/>EXPUNGEMENT<br/>FUND</b>                                   | <b><u>\$0</u></b>                                     | <b><u>\$0</u></b>                                       | <b><u>\$0</u></b>                                       | <b><u>\$0</u></b>                                       |
| Estimated Net FTE<br>Change on the Missouri<br>Expungement Fund  | Could exceed<br>344 FTE                               | Could exceed<br>487 FTE                                 | Could exceed<br>487 FTE                                 | Could exceed<br>487 FTE                                 |
| <b>FEDERAL FUNDS</b>   |   |   |   |   |
| <u>Cost – (§610.143)</u><br>Potential increase in<br>payments of claims to<br>the Legal Expense Fund<br>p.9-10 | \$0 or<br>(Unknown)                                   | \$0 or<br>(Unknown)                                     | \$0 or<br>(Unknown)                                     | \$0 or<br>(Unknown)                                     |
| <u>Revenue Loss –</u><br>MODOT (§§610.141 to<br>610.144) Non-<br>compliance with Federal<br>rules p.8-9        | \$0 or (Up to<br>\$555,876)                           | \$0 or (Up to<br>\$1,111,753)                           | \$0 or (Up to<br>\$2,779,382)                           | \$0 or (Up to<br>\$5,558,765)                           |
| <b>ESTIMATED NET<br/>EFFECT ON<br/>FEDERAL FUNDS</b>   | <b><u>\$0 or (Could<br/>exceed<br/>\$555,876)</u></b> | <b><u>\$0 or (Could<br/>exceed<br/>\$1,111,753)</u></b> | <b><u>\$0 or (Could<br/>exceed<br/>\$2,779,382)</u></b> | <b><u>\$0 or (Could<br/>exceed<br/>\$5,558,765)</u></b> |

| <u>FISCAL IMPACT –<br/>Local Government</u>   | FY 2027<br>(10 Mo.)         | FY 2028                     | FY 2029             | Fully<br>Implemented<br>(FY 2030) |
|---|-----------------------------|-----------------------------|---------------------|-----------------------------------|
| <b>LOCAL POLITICAL<br/>SUBDIVISIONS</b>   |                             |                             |                     |                                   |
| <u>Cost – Community<br/>Colleges (§610.143)<br/>Potential increase in<br/>claims p.9-10</u> | \$0 or<br>(Unknown)         | \$0 or<br>(Unknown)         | \$0 or<br>(Unknown) | \$0 or<br>(Unknown)               |
| <u>Cost – Local political<br/>subdivisions<br/>(§610.144.2) To expunge<br/>records p.10</u> | \$0                         | \$0                         | (Unknown)           | (Unknown)                         |
| <b>ESTIMATED NET<br/>EFFECT ON LOCAL<br/>POLITICAL<br/>SUBDIVISIONS</b>                     | <b>\$0 or<br/>(Unknown)</b> | <b>\$0 or<br/>(Unknown)</b> | <b>(Unknown)</b>    | <b>(Unknown)</b>                  |

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

This act provides that beginning August 28, 2029, all records and files maintained by any court pertaining to clean slate eligible offenses, which shall be offenses currently eligible for expungement by law, shall become closed records without the filing of a petition, subject to certain requirements as provided in this act. Additionally, this act provides certain time limitations for when records shall be closed and limitations on the amount of offenses which may be expunged, as provided in this act.

This act also provides that beginning August 28, 2029, the Office of State Courts Administrator (OSCA) shall identify and transfer on a monthly basis all clean slate eligible offenses records to the Central Repository and every prosecuting agency in the state within 30 days of the offenses becoming eligible for expungement. All records currently eligible for automated expungement shall be expunged by August 28, 2031. The provisions of this act shall not expunge any delinquent court costs, fines, fees, or other sums order by the court. A prosecuting agency may file an objection to the automated expungement within 60 days from notification of expungement by OSCA.

Additionally, OSCA shall provide notification of records to be expunged to the presiding judges of every circuit court and the courts shall order the expungement of all records eligible for expungement, as provided in the act. The Missouri State Highway Patrol shall keep nonpublic records of expungement available to certain entities.

Finally, this act provides that, for purposes of the law, the petitioner shall be considered not to have been previously convicted, except for purposes of the requirement to pay restitution to the victim and other purposes as provided in the act.

#### REPORTS BY OSCA TO THE GENERAL ASSEMBLY (Section 610.142)

Beginning August 28, 2029, OSCA shall report on a yearly basis to both the Senate and House of Representatives judiciary committees, or equivalent committees, the number of records expunged pursuant to this act and the number of records transmitted back to OSCA from the Missouri State Highway Patrol, any prosecuting agency, or any circuit court with objections that the record is not eligible for expungement.

#### CREDIT BUREAU REPORTS (Section 610.143)

This act provides that a credit bureau may report records of arrests, indictments pending trial, and convictions of crimes for no longer than 7 years from final disposition. However, any records which have been expunged or any records of a person who has been granted a pardon shall not be reported. Any credit bureau which willfully or negligently violates this act shall be subject to civil penalties.

#### MISSOURI EXPUNGEMENT FUND (Section 610.144)

This act creates the "Missouri Expungement Fund" which shall be used by the Department of Public Safety, the Office of Administration, and the Office of State Courts Administrator to provide system upgrades, staffing needs, and implement the provisions of this act.

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  
Department of Commerce and Insurance  
Department of Corrections  
Department of Labor and Industrial Relations  
Department of Revenue  
Department of Public Safety –  
    Director's Office  
    Missouri Highway Patrol  
Department of Social Services  
Office of the Governor  
Missouri Department of Transportation

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Office of Administration  
Office of the State Courts Administrator  
Office of the State Public Defender  
Office of the State Treasurer  
City of Kansas City  
Phelps County Sheriff  
Kansas City Police Department  
St. Louis County Police Department  
Missouri Lottery Commission  
Missouri Office of Prosecution Services



Julie Morff  
Director  
February 17, 2026



Jessica Harris  
Assistant Director  
February 17, 2026