

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0828S.06S  
 Bill No.: CCS for HCS for SS No. 2 for SB 26  
 Subject: Law Enforcement Officers and Agencies; Criminal Procedure; Attorneys;  
 Administrative Law  
 Type: Original  
 Date: May 12, 2021

Bill Summary: This proposal creates provisions relating to public safety.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>				
FUND AFFECTED	FY 2022	FY 2023	FY 2024	Fully Implemented (FY 2031)
General Revenue *	(\$376,035 to could exceed \$12,842,875)	(\$758,360 to could exceed \$16,045,770)	(\$1,136,266 to could exceed \$16,757,572)	(\$3,986,148 to could exceed \$24,446,327)
<b>Total Estimated Net Effect on General Revenue</b>	<b>(\$376,035 to could exceed \$12,842,875)</b>	<b>(\$758,360 to could exceed \$16,045,770)</b>	<b>(\$1,136,266 to could exceed \$16,757,572)</b>	<b>(\$3,986,148 to could exceed \$24,446,327)</b>

\*The largest cost driver of this proposal is §558.031 - officials from the DOC state the cumulative impact of changes in these sections may result in up to approximately 2,845 more people in prison and 2,845 fewer people under field supervision by FY2027. This legislation would still allow for the discretionary granting of jail time credit and still allows for discretionary parole. Therefore, the projected impact will be reflected as \$0 to approximately (\$15 million).

Numbers within parentheses: () indicate costs or losses.

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>				
<b>FUND AFFECTED</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>Fully Implemented (FY 2031)</b>
Agriculture Protection Fund***	\$0	\$0	\$57,875	\$160,810
University of MO***	\$0	\$0	\$200,000	\$400,000
Colleges and Universities**	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
988 Public Safety Fund*	\$0	\$0	\$0	\$0
<b>Total Estimated Net Effect on Other State Funds</b>	<b>\$0 to (Unknown)</b>	<b>\$0 to (Unknown)</b>	<b>Less than \$257,875</b>	<b>Less than \$560,810</b>

\*Income and costs net to zero.

\*\*“Unknown” represents the potential for additional litigation against the state and other governmental entities resulting from this proposal

\*\*\*Part of the proposal has an effective date of January 1, 2024 (FY 2025).

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>				
FUND AFFECTED	FY 2022	FY 2023	FY 2024	Fully Implemented (FY 2031)
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>				
FUND AFFECTED	FY 2022	FY 2023	FY 2024	Fully Implemented (FY 2031)
General Revenue	Less than (44) FTE	0 to (45) FTE	0 to (45) FTE	Less than (61) FTE
Agriculture Protection Fund	0 FTE	0 FTE	1 FTE	1 FTE
<b>Total Estimated Net Effect on FTE</b>	<b>Less than (44) FTE</b>	<b>0 to (45) FTE</b>	<b>Less than (44) FTE</b>	<b>Less than (60) 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.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>				
FUND AFFECTED	FY 2022	FY 2023	FY 2024	Fully Implemented (FY 2031)
<b>Local Government</b>	<b>\$0 to (Unknown)</b>	<b>\$0 to (Unknown)</b>	<b>\$0 to (Unknown)</b>	<b>\$0 to (Unknown)</b>

## FISCAL ANALYSIS

### ASSUMPTION

Due to time constraints, **Oversight** was unable to receive some agency responses in a timely manner and performed limited analysis. Oversight has presented this fiscal note on the best current information that we have or on information regarding a similar bill(s). Upon the receipt of agency 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.

§§56.380, 56.455, 105.950, 149.071, 149.076, 214.392, 217.010, 217.030, 217.250, 217.270, 217.362, 217.364, 217.455, 217.541, 217.650, 217.655, 217.665, 217.690, 217.692, 217.695, 217.710, 217.735, 217.810, 217.829, 549.500, 557.051, 558.026, 558.046, 559.026, 559.105, 559.106, 559.115, 559.125, 559.600, 559.602, 559.607, 571.030, 575.205, 575.206, 589.042, 650.055, and 650.058 – Parole Board

In response to similar legislation from 2021 (HCS HB 549), officials from the **Department of Corrections** and the **Office of the Governor** each assumed 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 for these sections.

#### §67.030 – Local law enforcement budgets

In response to a previous version, officials from the **City of Kansas City** stated the provisions of §67.030 in this legislation could have a negative fiscal impact if there was a budget reduction.

**Oversight** assumes rarely will a political subdivision decrease their budget for law enforcement by an amount exceeding 12 percent in relation to other items in the proposed budget over a five-year aggregate amount. Therefore, Oversight will reflect a zero impact in the fiscal note to local governments for this section of the proposal.

#### §67.301 – Permit requirements for battery-charged fences

In response to similar legislation from 2021 (HB 1336), officials from the cities of **Claycomo, Corder, Kansas City, O’Fallon, Springfield** and **St. Louis**, the **Kansas City Police Department** and the **St. Louis County Police Department** each assumed the proposal will have no fiscal impact on their respective organizations.

In response to similar legislation from this year (SB 470), officials from the **Ellisville Police Department** assumed the proposal will 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 section.

**Oversight** does not have any information to the contrary. Oversight assumes there may be cities that charge permit fees for both the installation or use of a battery charged fence and/or an alarm system, however, Oversight is unaware of how many exist in the state and what fee is currently being charged for these permits. There is a potential that these cities who collect these permit fees would lose revenue from these fees, however, Oversight assumes these fees would be minimal. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

§67.494 – Security measure on private property

In response to similar legislation from 2021 (HB 1331), officials from the **Attorney General's Office**, the **Department of Natural Resources**, the **Department of Public Safety – (Capitol Police, Fire Safety, Office of the Director, Missouri National Guard, Missouri Highway Patrol, State Emergency Management Agency)**, the **Missouri Department of Conservation**, the **Missouri Department of Transportation**, the **Missouri House of Representatives**, the **Missouri Senate**, the **Office of Administration**, the **Office of the State Courts Administrator**, the **Kansas City Police Department**, the **St. Louis County Police Department**, the **Crawford County 911 Board**, and the **Nodaway County Ambulance District** each assumed the proposal will have no fiscal impact on their respective organizations.

In response to similar legislation from 2021 (HB 1331), Officials from the **Fruitland Area Fire Protection District** responded to the legislation but did not provide a fiscal impact.

**Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this section for these agencies.

§190.307 – Emergency services

In response to similar legislation from 2021 (HB 1161), officials from the **Attorney General's Office**, the **Department of Public Safety – (Fire Safety, Missouri Highway Patrol, and Office of the Director)**, the **Office of the State Courts Administrator**, the **Kansas City Police Department**, the **St. Louis County Police Department**, the **Crawford County 911 Board**, and the **Nodaway County Ambulance District** each assumed the proposal will have no fiscal impact on their respective organizations.

In response to similar legislation from 2021 (HB 1161), officials from the **Fruitland Area Fire Protection District** responded to the legislation but did not provide a fiscal impact.

§217.690 – Terms of imprisonment

In response to similar legislation from 2021 (SB 552), officials from the **Department of Corrections (DOC)** stated this section would allow persons under age 18 at the time of the offense serving a life sentence with or without parole, or a sentence structure of 15 years or more, after 15 years has been served to petition the Board for parole consideration.

It is unknown how many offenders will petition the Board for a hearing review. It is also unknown how many hearings the Board will conduct and how many offenders will be granted parole if this legislation passes. Therefore the department assumes an impact of \$0 to unknown savings.

**Oversight** does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect DOC's \$0 to unknown savings impact for fiscal note purposes.

§§281.015, 281.020, 281.025, 281.030, 281.035, 281.037, 281.038, 281.040, 281.045, 281.048, 281.050, 281.055, 281.060, 281.063, 281.065, 281.070, 281.075, 281.085, and 281.101 – Pesticide certification and training

In response to a similar proposal (SB 491), officials from the **Missouri Department of Agriculture (MDA)** assumed the following regarding this proposal:

§281.048

Will require an estimated \$20,000 to add Noncertified Restricted Use Pesticide (NRUP) license classification to computer system, MOPlants, and the addition of one FTE (Senior Office Support Asst.) = \$31,090 salary and corresponding office equipment = \$2,743.

§281.035

Commercial agriculture, right-of-way, golf courses, fumigation, and other types will have an estimated 5,236 new persons licensed as NRUP X \$35 = \$183,260 annually.

§281.037

Non-commercial agriculture, right-of-way, golf courses, fumigation, and other types will have an estimated 919 new persons licensed as NRUP X \$35 = \$32,165 annually.

**Oversight** does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by the MDA. Oversight notes the effective date of this proposal is January 1, 2024; therefore, Oversight will not reflect any costs or revenue until FY 2024 (six months) and fully implemented in FY 2025.

In response to a similar proposal (SB 491), officials from the **Attorney General's Office, Department of Natural Resources** and **Office of the State Courts Administrator** each assumed 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 a similar proposal (SB 491), officials from the **University of Missouri (UM)** assume this proposal would allow University of Missouri Extension to charge a \$75 Pesticide Registration fee for their Private Pesticide Applicator Training Program, which they currently provide for free. These fees would create an additional \$400,000 in revenue. The revenue generated by these fees would be used to cover the costs of the program. The University currently covers 100% of costs incurred by the program, and Missouri Extension estimates that this fee will cover 46% of the program costs, allowing the University to cover 54%.

**Oversight** does not have information to the contrary and therefore, Oversight will reflect the savings as provided by the UM.

In response to a similar proposal (SB 491), officials from the **City of Corder, City of Kansas City, City of O’Fallon, City of Springfield and City of St. Louis** each assumed 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 a similar proposal from 2021 (HB 1125), officials from the **City of Claycomo and City of Hughesville** each assumed the proposal would 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.

These sections become effective January 1, 2024.

§§304.022 & 307.175 – Flashing lights on certain vehicles

In response to a similar proposal from 2021 (HB 380), officials from the **Department of Revenue, Missouri Department of Transportation, Missouri Highway Patrol, Department of Corrections, Office of the State Public Defender, Office of the State Courts Administrator and Missouri Office of Prosecution Services** each assumed the proposal would have no fiscal impact on their respective organizations.

In response to a similar proposal from 2021 (HB 380), officials from the **City of Ballwin, City of Kansas City, City of O’Fallon, City of Springfield, City of St. Louis, Crestwood Police Department, Ellisville Police Department, Kansas City Police Department, Springfield Police Department and St. Louis County Police Department** each assumed the proposal will have no fiscal impact on their respective organizations.

**Oversight** notes that the above mentioned agencies have stated the proposal would not have a direct fiscal impact on their organization. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note for these sections.

§§311.060, 311.660, and 313.220 – Certain criminal offenses

In response to similar legislation from 2021 (HB 316), officials from the **Department of Public Safety - Division of Alcohol and Tobacco Control**, the **Department of Revenue**, and the **Missouri Lottery Commission** each assumed 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.

§§313.800, 313.805, and 313.812 – Gaming facilities

In response to similar legislation from 2021 (SB 506), officials from the **Department of Public Safety – Missouri Gaming Commission** assumed the proposal will 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 these sections.

§542.525 – Cameras on private property

In response to similar legislation from 2021 (HCS HB 11166), officials from the **Attorney General’s Office**, the **Department of Commerce and Insurance**, the **Department of Economic Development**, the **Department of Elementary and Secondary Education**, the **Department of Health and Senior Services**, the **Department of Higher Education and Workforce Development**, the **Department of Labor and Industrial Relations**, the **Department of Mental Health**, the **Department of Natural Resources**, the **Department of Corrections**, the **Department of Revenue**, the **Department of Public Safety – (Division of Alcohol and Tobacco Control, Capitol Police, Fire Safety, Missouri Gaming Commission, Missouri Highway Patrol, Missouri National Guard, Missouri Veterans Commission, Office of the Director, and State Emergency Management Agency)**, the **Department of Social Services**, the **Missouri Department of Agriculture**, the **Missouri Department of Conservation**, the **Missouri Department of Transportation**, the **MoDOT & Patrol Employees’ Retirement System**, the **Office of Administration**, the **Office of Administration - Administrative Hearing Commission**, the **Office of the Secretary of State**, the **Office of the State Public Defender**, the **Missouri Lottery Commission**, **MCHCP**, **MOHELA**, **MOSERS**, the **Office of the State Courts Administrator**, the **Office of the Governor**, the **Missouri House of Representatives**, the **Joint Committee on Administrative Rules**, the **Joint Committee on Education**, the **Legislative Research**, the **Oversight Division**, the **Missouri Senate**, the **Office of the State Auditor**, the **State Tax Commission**, the **University of Missouri**, the **City of Claycomo**, the **City of Corder**, the **City of Kansas City**, the **City of O’Fallon**, the **City of Springfield**, the **City of St. Louis**, the **Kansas City Police Department**, and the **St. Louis County Police Department** each assumed the proposal will have no fiscal impact on their respective organizations.

In response to similar legislation from 2021 (HCS HB 11166), officials from the **Office of Administration - Budget and Planning (B&P)** stated this proposal has no direct impact on B&P and no direct impact on general and total state revenues and will not impact the calculation pursuant to Art. X, Sec. 18(e).



In response to similar legislation from 2021 (HCS HB 11166), officials from the **Joint Committee on Public Employee Retirement (JCPER)** stated this proposal will not affect retirement plan benefits as defined in §105.660(9).

In response to a previous version (HB 1166), officials from the **Missouri Ethics Commission**, the **Office of the Lieutenant Governor**, the **Office of the State Treasurer**, the **Missouri Office of Prosecution Services** and **Boone County** each assumed 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 this section.

§§557.045, 574.045, and 574.085 – Special victims, unlawful traffic interference, and vandalism

In response to a previous version, officials from the **Department of Corrections (DOC)** assumed the following:

In addition to the creation of new penalties, the bill proposes to prohibit probation and parole eligibility for offenders committing dangerous felonies if the victim is a law enforcement officer, firefighter, or emergency service provider. Law enforcement officers and emergency providers are defined as special victims in section 565.002, and these offenses are identifiable by reference to their enhanced felony classes as defined in each respective section of legislation.

Current statutes allow probation and 120-day court stipulated sentences for all the offenses. The bill mandates no probation or parole for dangerous felonies against law enforcement officers, fire fighters, and emergency service providers. No parole means that an offender is required to serve to the conditional release unless other sentencing restrictions make the sentence ineligible for conditional release. The dangerous felonies for which statute allows enhanced sentencing when offenses are committed against persons classified as special victims are: Assault 1st degree and Assault 2nd degree. Assault 1st degree and Assault 2nd degree, if the victim is a special victim, are dangerous felonies in which the offenders would serve 100% of the sentence because they are excluded from the provisions of conditional release.

To assess the potential impact of changes proposed in this bill, DOC analyzed FY 2020 new prison admissions, new probation cases, and time served to first release for offenders with sentences for assaults on special victims. In FY 2020, there were 72 new court commitments (including 120-day admissions) to prison with an average sentence of 17.0 years for first degree assault on a special victim. There were 29 new court commitments to prison with an average sentence of 8.2 years for second degree assault on a special victim.

**FY 2020 New court commitments (including 120-day admissions) to prison based on assaults on special victims.**

<b>MISSOURI STATUTE</b>	<b>DESCRIPTION</b>	<b>OFFENSE CLASS</b>	<b>OFFENDERS</b>	<b>AVERAGE SENTENCE</b>
565050	Assault 1 <sup>st</sup> Degree	A	72	17.0
565052	Assault 2 <sup>nd</sup> Degree	B	29	8.2

In FY 2020, there were 23 new probation cases with an average sentence of 10.9 years for first degree assault on a special victim. There were 19 new probation cases with an average sentence of 6.9 years for second degree assault on a special victim. Under the proposed legislation, all of these offenders would be sentenced to prison instead of probation.

#### **FY 2020 New probation cases based on assaults on special victims.**

<b>MISSOURI STATUTE</b>	<b>DESCRIPTION</b>	<b>OFFENSE CLASS</b>	<b>OFFENDERS</b>	<b>AVERAGE SENTENCE</b>
565050	Assault 1 <sup>st</sup> Degree	A	23	10.9
565052	Assault 2 <sup>nd</sup> Degree	B	19	6.9

In FY 2020, 96 offenders in prison on sentences for first degree assault on a special victim were released from prison after serving, on average, 14.9 years, or approximately 90% of the length of the sentence. There were 18 offenders in prison for a second degree assault on a special victim who were first released from prison after serving, on average, 4.1 years, or approximately 50% of the length of the sentence.

#### **FY 2020 Offenders released from prison after serving time for convictions of assaults on special victims.**

<b>MISSOURI STATUTE</b>	<b>DESCRIPTION</b>	<b>OFFENSE CLASS</b>	<b>OFFENDERS</b>	<b>AVERAGE SENTENCE</b>	<b>TIME SERVED TO FIRST RELEASE</b>	<b>PERCENT SENTENCE SERVED TO FIRST RELEASE</b>
565050, 565081	Assault 1 <sup>st</sup> Degree	A	96	17.5	14.9	90%
565052, 565082	Assault 2 <sup>nd</sup> Degree	B	18	8.4	4.1	50%

To estimate the potential impact of this bill, we assume all offenders with class A and class B felony offenses will serve 100% of their sentence in prison.

Section 557.045 prohibits eligibility for probation or parole for first degree assault on special victim

**Class A Felony Assaults in 1st Degree on Special Victims (Law Enforcement, emergency workers etc.)**

	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031
<b>New Admissions</b>										
Current Law	72	72	72	72	72	72	72	72	72	72
After Legislation	95	95	95	95	95	95	95	95	95	95
<b>Probation</b>										
Current Law	23	23	23	23	23	23	23	23	23	23
After Legislation	0	0	0	0	0	0	0	0	0	0
<b>Change (After Legislation - Current Law)</b>										
Admissions	23	23	23	23	23	23	23	23	23	23
Probations	-23	-23	-23	-23	-23	-23	-23	-23	-23	-23
<b>Cumulative Populations</b>										
Prison	23	46	69	92	115	138	161	184	207	230
Parole										
Probation	-23	-46	-69	-92	-115	-138	-161	-184	-207	-230
<b>Impact</b>										
Prison Population	23	46	69	92	115	138	161	184	207	230
Field Population	-23	-46	-69	-92	-115	-138	-161	-184	-207	-230
<b>Population Change</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Section 557.045 prohibits eligibility for probation or parole for second degree assault on special victim

**Class B Felony Assaults in 2nd Degree on Special Victims (Law Enforcement, emergency workers etc.)**

	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031
<b>New Admissions</b>										
Current Law	29	29	29	29	29	29	29	29	29	29
After Legislation	48	48	48	48	48	48	48	48	48	48
<b>Probation</b>										
Current Law	19	19	19	19	19	19	19	19	19	19
After Legislation	0	0	0	0	0	0	0	0	0	0
<b>Change (After Legislation - Current Law)</b>										
Admissions	19	19	19	19	19	19	19	19	19	19
Probations	-19	-19	-19	-19	-19	-19	-19	-19	-19	-19
<b>Cumulative Populations</b>										
Prison	19	38	57	76	95	129	177	225	234	234
Parole						-15	-44	-73	-78	-78
Probation	-19	-38	-57	-76	-95	-114	-131	-131	-131	-131
<b>Impact</b>										
Prison Population	19	38	57	76	95	129	177	225	234	234
Field Population	-19	-38	-57	-76	-95	-129	-175	-204	-209	-209
<b>Population Change</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>21</b>	<b>25</b>	<b>25</b>

Section 574.045

For each new nonviolent class E felony, the department estimates one person will be sentenced to prison and two to probation. The average sentence for a nonviolent class E felony offense is 3.4 years, of which 2.1 years will be served in prison with 1.4 years to first release. The remaining 1.3 years will be on parole. Probation sentences will be 3 years.

	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031
<b>New Admissions</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	1	1	1	1	1	1	1	1	1	1
<b>Probation</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	2	2	2	2	2	2	2	2	2	2
<b>Change (After Legislation - Current Law)</b>										
Admissions	1	1	1	1	1	1	1	1	1	1
Probations	2	2	2	2	2	2	2	2	2	2
<b>Cumulative Populations</b>										
Prison	1	2	2	2	2	2	2	2	2	2
Parole			1	1	1	1	1	1	1	1
Probation	2	4	6	6	6	6	6	6	6	6
<b>Impact</b>										
Prison Population	1	2	2	2	2	2	2	2	2	2
Field Population	2	4	7	7	7	7	7	7	7	7
<b>Population Change</b>	<b>3</b>	<b>6</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>

Section 574.085

The DOC assumes for each new nonviolent class E felony, the department estimates one person will be sentenced to prison and two to probation. The average sentence for a nonviolent class E felony offense is 3.4 years, of which 2.1 years will be served in prison with 1.4 years to first release. The remaining 1.3 years will be on parole. Probation sentences will be 3 years.

**Change in prison admissions and probation openings with legislation-Class E Felony (nonviolent)**

	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031
<b>New Admissions</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	1	1	1	1	1	1	1	1	1	1
<b>Probation</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	2	2	2	2	2	2	2	2	2	2
<b>Change (After Legislation - Current Law)</b>										
Admissions	1	1	1	1	1	1	1	1	1	1
Probations	2	2	2	2	2	2	2	2	2	2
<b>Cumulative Populations</b>										
Prison	1	2	2	2	2	2	2	2	2	2
Parole			1	1	1	1	1	1	1	1
Probation	2	4	6	6	6	6	6	6	6	6
<b>Impact</b>										
Prison Population	1	2	2	2	2	2	2	2	2	2
Field Population	2	4	7	7	7	7	7	7	7	7
<b>Population Change</b>	<b>3</b>	<b>6</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>

For each new nonviolent class D felony, the Department estimates three people will be sentenced to prison and five to probation. The average sentence for a nonviolent class D felony offense is 5 years, of which 2.8 years will be served in prison with 1.7 years to first release. The remaining 2.2 years will be on parole. Probation sentences will be 3 years.

The cumulative impact on the department is estimated to be 8 additional offenders in prison and 22 additional offenders on field supervision by FY 2026.

## Change in prison admissions and probation openings with legislation-Class D Felony (nonviolent)

	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031
<b>New Admissions</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	3	3	3	3	3	3	3	3	3	3
<b>Probation</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	5	5	5	5	5	5	5	5	5	5
<b>Change (After Legislation - Current Law)</b>										
Admissions	3	3	3	3	3	3	3	3	3	3
Probations	5	5	5	5	5	5	5	5	5	5
<b>Cumulative Populations</b>										
Prison	3	6	8	8	8	8	8	8	8	8
Parole			1	4	7	7	7	7	7	7
Probation	5	10	15	15	15	15	15	15	15	15
<b>Impact</b>										
Prison Population	3	6	8	8	8	8	8	8	8	8
Field Population	5	10	16	19	22	22	22	22	22	22
<b>Population Change</b>	<b>8</b>	<b>16</b>	<b>24</b>	<b>27</b>	<b>30</b>	<b>30</b>	<b>30</b>	<b>30</b>	<b>30</b>	<b>30</b>

Due to the relatively long sentences for the class A and class B felonies included in this analysis, the entire estimated impact goes beyond the 10-year timeframe of this response.

Within 10 years, DOC estimates that if the proposed legislation were passed, there could be up to an additional 477 offenders in prison and 403 fewer offenders on field supervision.

## Change in prison admissions and probation openings with legislation

	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031
<b>New Admissions</b>										
Current Law	101	101	101	101	101	101	101	101	101	101
After Legislation	148	148	148	148	148	148	148	148	148	148
<b>Probation</b>										
Current Law	42	42	42	42	42	42	42	42	42	42
After Legislation	9	9	9	9	9	9	9	9	9	9
<b>Change (After Legislation - Current Law)</b>										
Admissions	47	47	47	47	47	47	47	47	47	47
Probations	-33	-33	-33	-33	-33	-33	-33	-33	-33	-33
<b>Cumulative Populations</b>										
Prison	47	94	139	181	223	279	350	421	454	477
Parole	0	0	2	6	9	-5	-34	-63	-69	-69
Probation	-33	-66	-99	-141	-183	-225	-265	-288	-311	-334
<b>Impact</b>										
Prison Population	47	94	139	181	223	279	350	421	454	477
Field Population	-33	-66	-97	-135	-174	-230	-299	-351	-380	-403
<b>Population Change</b>	<b>14</b>	<b>28</b>	<b>42</b>	<b>46</b>	<b>49</b>	<b>49</b>	<b>51</b>	<b>70</b>	<b>74</b>	<b>74</b>

	# to prison	Cost per year	Total Costs for <b>prison</b>	Change in probation & parole officers	Total savings for <b>probation &amp; parole</b>	# to probation & parole	Grand Total - Prison and Probation (includes 2% inflation)
Year 1	47	(\$7,756)	(\$303,777)	0	\$0	(33)	(\$303,777)
Year 2	94	(\$7,756)	(\$743,645)	(1)	\$67,966	(66)	(\$675,679)
Year 3	139	(\$7,756)	(\$1,121,639)	(1)	\$68,700	(97)	(\$1,052,939)
Year 4	181	(\$7,756)	(\$1,489,762)	(2)	\$138,882	(135)	(\$1,350,880)
Year 5	223	(\$7,756)	(\$1,872,162)	(3)	\$210,574	(174)	(\$1,661,588)
Year 6	279	(\$7,756)	(\$2,389,147)	(4)	\$283,801	(230)	(\$2,105,346)
Year 7	350	(\$7,756)	(\$3,057,081)	(5)	\$358,598	(299)	(\$2,698,483)
Year 8	421	(\$7,756)	(\$3,750,776)	(6)	\$434,980	(351)	(\$3,315,796)
Year 9	454	(\$7,756)	(\$4,125,675)	(7)	\$512,990	(380)	(\$3,612,685)
Year 10	477	(\$7,756)	(\$4,421,379)	(7)	\$518,558	(403)	(\$3,902,821)

If this impact statement has changed from statements submitted in previous years, it is because the Department of Corrections has changed the way probation and parole daily costs are calculated to more accurately reflect the way the Division of Probation and Parole is staffed across the entire state.

In December 2019, the DOC reevaluated the calculation used for computing the Probation and Parole average daily cost of supervision and revised the cost calculation to be the DOC average district caseload across the state which is 51 offender cases per officer. The new calculation assumes that an increase/decrease of 51 cases would result in a change in costs/cost avoidance equal to the cost of one FTE staff person. Increases/decreases smaller than 51 offenders 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. For instances where the proposed legislation affects a less specific caseload, DOC projects the impact based on prior year(s) actual data for DOC's 48 probation and parole districts.

The DOC cost of incarceration is \$21.251 per day or an annual cost of \$7,756 per offender. The DOC cost of probation or parole is determined by the number of P&P Officer II positions that would be needed to cover the new caseload.

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

In response to a previous version, officials from the **Office of the State Public Defender (SPD)** stated for the purpose of the proposed legislation, and as a result of excessive caseloads, the SPD

cannot assume existing staff will be able to provide competent, effective representation for any new cases where indigent persons are charged with the proposed new crime(s) of misdemeanor or felony unlawful traffic interference in violation of Section 574.045 RSMo. The Missouri State Public Defender System is currently providing legal representation in caseloads in excess of recognized standards. While the number of new cases may be too few or uncertain to request additional funding for this specific bill, the Missouri State Public Defender will continue to request sufficient appropriations to provide competent and effective representation in all cases where the right to counsel attaches.

**Oversight** assumes the SPD 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 SPD for fiscal note purposes.

§558.011– Terms of imprisonment

In response to similar legislation from 2021 (SB 343), officials from the **Department of Corrections (DOC)** stated §558.011 repeals the provision that allows for conditional release of offenders from prison. Following repeal, offenders in prison would be released either at the discretion of the Board of Probation and Parole or upon completion of the term(s) of their sentence(s).

DOC evaluated first releases of offenders on conditional release and parole release during fiscal years 2017 through 2020. In FY 2020, 478 offenders were released on conditional release. The following table shows the difference in times between condition release dates and maximum discharge dates for those offenders broken down by sentence felony class.

Felony class	Releases	Average Sentence Length (Years)	Average Time Served (Years)	Difference
A	9	21.0	17.9	3.1
B	93	9.0	7.2	1.8
C	189	6.0	4.2	1.8
D	101	3.0	2.4	0.6
E	37	2.0	1.4	0.6
U	49	11.0	8.4	2.6
Total	478	6.0	4.9	1.1

Based on this number of conditional releases in FY 2020, with an average sentence length of 6.0 years and average release time of 4.9 years, if all offenders who would have been released on conditional release were instead not released until their maximum discharge date, there could be

up to an additional 526 offenders in prison and 526 fewer offenders under supervision in the field by FY 2027.

**Change in prison admissions and probation openings with legislation**

	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031
<b>New Admissions</b>										
Current Law	478	478	478	478	478	478	478	478	478	478
After Legislation	478	478	478	478	478	478	478	478	478	478
<b>Probation</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	0	0	0	0	0	0	0	0	0	0
<b>Change (After Legislation - Current Law)</b>										
Admissions	0	0	0	0	0	0	0	0	0	0
Probations	0	0	0	0	0	0	0	0	0	0
<b>Cumulative Populations</b>										
Prison					48	526	526	526	526	526
Parole					-48	-526	-526	-526	-526	-526
Probation										
<b>Impact</b>										
Prison Population					48	526	526	526	526	526
Field Population					-48	-526	-526	-526	-526	-526
<b>Population Change</b>										

§558.031 – Credit for jail time awaiting trial

In response to similar legislation from 2021 (SB 343), **DOC** states §558.031 proposes to eliminate the opportunity to reduce prison sentence terms by issuing jail time credit for offenders who enter prison on new court commitments, court commitments on additional charges, probation revocation for new felony convictions, or technical probation revocations.

The table below shows that there were 4,858 such commitments from the court during FY 2020. This represents a significantly lower number from such commitments during fiscal years 2017 through 2019. Given the impact of COVID-19 on activity in the courts, the number of court commitments during FY 2019 is used to estimate the potential impact on department operations.

**Table 1. Jail Time Credit on Sentences associated with court commitments to prison from FY 2017 through FY 2020.**

Fiscal Year	Commitments	Average Sentence Credit Time (days)	Median Sentence Credit Time (days)
2017	6,734	184	132
2018	6,495	196	143
2019	5,797	199	147
2020	4,858	197	141



A proposal to repeal the opportunity to apply jail time credit does not change sentence length, the only difference in operations evaluated here is the increase in length of an offender’s prison stay prior to first release following a commitment from the court or probation revocation.

With an estimated 5,797 new offender commitments per year, serving an additional 147 days in prison prior to their first release, DOC could expect up to approximately 2,319 more people in prison and 2,319 fewer people under field supervision following repeal of jail time credit.

**Table 2. Change in prison and field populations with change in legislation.**  
 Change in prison admissions and probation openings with legislation

	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031
<b>New Admissions</b>										
Current Law	5,797	5,797	5,797	5,797	5,797	5,797	5,797	5,797	5,797	5,797
After Legislation	5,797	5,797	5,797	5,797	5,797	5,797	5,797	5,797	5,797	5,797
<b>Probation</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	0	0	0	0	0	0	0	0	0	0
<b>Change (After Legislation - Current Law)</b>										
Admissions	0	0	0	0	0	0	0	0	0	0
Probations	0	0	0	0	0	0	0	0	0	0
<b>Cumulative Populations</b>										
Prison	2,319	2,319	2,319	2,319	2,319	2,319	2,319	2,319	2,319	2,319
Parole	-2,319	-2,319	-2,319	-2,319	-2,319	-2,319	-2,319	-2,319	-2,319	-2,319
Probation										
<b>Impact</b>										
Prison Population	2,319	2,319	2,319	2,319	2,319	2,319	2,319	2,319	2,319	2,319
Field Population	-2,319	-2,319	-2,319	-2,319	-2,319	-2,319	-2,319	-2,319	-2,319	-2,319
<b>Population Change</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

The cumulative impact of changes in these sections may result in up to approximately 2,845 more people in prison and 2,845 fewer people under field supervision by FY2027. This legislation would still allow for the discretionary granting of jail time credit and still allows for discretionary parole. Therefore, the projected impact will be \$0 to (\$20,460,179) by the year 2027.

Change in prison admissions and probation openings with legislation

	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031
<b>New Admissions</b>										
Current Law	6275	6275	6275	6275	6275	6275	6275	6275	6275	6275
After Legislation	6275	6275	6275	6275	6275	6275	6275	6275	6275	6275
Probation	0	0	0	0	0	0	0	0	0	0
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	0	0	0	0	0	0	0	0	0	0
<b>Change (After Legislation - Current Law)</b>										
Admissions	0	0	0	0	0	0	0	0	0	0
Probations	0	0	0	0	0	0	0	0	0	0
<b>Cumulative Populations</b>										
Prison	2319	2319	2319	2319	2367	2845	2845	2845	2845	2845
Parole	-2319	-2319	-2319	-2319	-2367	-2845	-2845	-2845	-2845	-2845
Probation	0	0	0	0	0	0	0	0	0	0
<b>Impact</b>										
Prison Population	2319	2319	2319	2319	2367	2845	2845	2845	2845	2845
Field Population	-2319	-2319	-2319	-2319	-2367	-2845	-2845	-2845	-2845	-2845
<b>Population Change</b>	0	0	0	0	0	0	0	0	0	0

	# to prison	Cost per year	Total Costs for prison	Change in probation & parole officers	Total savings for probation and parole	# to probation and parole	Grand Total - Prison and Probation (includes 2% inflation)
Year 1	2,319	(\$7,756)	(\$14,988,470)	(45)	\$2,521,630	(2,319)	(\$12,466,840)
Year 2	2,319	(\$7,756)	(\$18,345,887)	(45)	\$3,058,477	(2,319)	(\$15,287,410)
Year 3	2,319	(\$7,756)	(\$18,712,805)	(45)	\$3,091,499	(2,319)	(\$15,621,306)
Year 4	2,319	(\$7,756)	(\$19,087,061)	(45)	\$3,124,855	(2,319)	(\$15,962,206)
Year 5	2,367	(\$7,756)	(\$19,871,779)	(46)	\$3,228,801	(2,367)	(\$16,642,978)
Year 6	2,845	(\$7,756)	(\$24,362,448)	(55)	\$3,902,269	(2,845)	(\$20,460,179)
Year 7	2,845	(\$7,756)	(\$24,849,697)	(55)	\$3,944,584	(2,845)	(\$20,905,113)
Year 8	2,845	(\$7,756)	(\$25,346,691)	(55)	\$3,987,323	(2,845)	(\$21,359,369)
Year 9	2,845	(\$7,756)	(\$25,853,625)	(55)	\$4,030,638	(2,845)	(\$21,822,987)
Year 10	2,845	(\$7,756)	(\$26,370,698)	(55)	\$4,074,385	(2,845)	(\$22,296,312)

If this impact statement has changed from statements submitted in previous years, it is because the Department of Corrections has changed the way probation and parole daily costs are calculated to more accurately reflect the way the Division of Probation and Parole is staffed across the entire state.

In December 2019, the DOC reevaluated the calculation used for computing the Probation and Parole average daily cost of supervision and revised the cost calculation to be the DOC average district caseload across the state which is 51 offender cases per officer. The new calculation assumes that an increase/decrease of 51 cases would result in a change in costs/cost avoidance equal to the cost of one FTE staff person. Increases/decreases smaller than 51 offenders 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. For instances where the proposed legislation affects a less specific caseload, DOC projects the impact based on prior year(s) actual data for DOC's 48 probation and parole districts.

The DOC cost of incarceration is \$21.251 per day or an annual cost of \$7,756 per offender. The DOC cost of probation or parole is determined by the number of P&P Officer II positions that would be needed to cover the new caseload.

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

In response to similar legislation from 2021 (SB 343), Officials from the **Office of the State Public Defender (SPD)** stated for the purpose of the proposed legislation, and as a result of excessive caseloads, the SPD cannot assume existing staff will be able to provide competent, effective representation in post-conviction cases which will arise from this change to Section 558.031 RSMo. The Missouri State Public Defender System is currently providing legal representation in caseloads in excess of recognized standards. This change to the statute concerning the credit for jail time served prior to a conviction will result in an increase in post-conviction cases requiring public defender representation. The post-conviction cases will arise out of a failure of the court to credit a convicted person the time spent confined in jail as a result of the case in which the conviction arises.

**Oversight** assumes the SPD 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 SPD for fiscal note purposes.

In response to similar legislation from 2021 (SB 343), officials from the **Missouri Office of Prosecution Services** and the **Office of the State Courts Administrator** each assumed 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.

#### §566.145 – Offense of sexual conduct in the course of public duty

In response to similar legislation from 2021 (HCS HB 876), officials from the **Office of Administration – General Services (OA/GS)** stated this section creates the offense of sexual misconduct in the course of public duty. The cost to the state is unknown, if this prohibition is used in an action against the state for violation by a state employee. The amount of the potential costs resulting from this proposal cannot be reasonably estimated as this language creates new legal standards, subject to judicial interpretation, and there is no readily available information that could assist in forming a rational basis for estimating costs. In addition, the number of potential claims, the severity of those claims, and the ultimate costs associated with any

settlement or judgment resulting from those claims cannot be forecasted with any degree of assurance to their accuracy.

The state self-assumes its own liability under the state Legal Expense Fund (LEF), Section 105.711 RSMo. It is a self-funding mechanism whereby funds are made available for the payment of any claim or judgment rendered against the state in regard to the waivers of sovereign immunity or against employees and specified and individuals. Investigation, defense, negotiation or settlement of such claims is provided by the Office of the Attorney General. Payment is made by the Commissioner of Administration with the approval of the Attorney General.

**OA/GS** states there is no a direct fiscal impact to the LEF, because this is a criminal statute, not one that creates a civil cause of action.

**Oversight** assumes because this is not a direct impact to the LEF, any potential costs would be indirect. Therefore, Oversight no fiscal impact for fiscal note purposes for this section of the bill.

In response to similar legislation from 2021 (HS HCS HB 876), officials from the **Department of Corrections (DOC)** stated the language added in section 566.145 involving a class E felony does not change existing legislation in a way that will likely impact department operations. No person was charged under this section in FY 2020.

**Oversight** does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect DOC's no impact on this section for fiscal note purposes.

#### §590.030 – Peace officer licensure

In response to similar legislation from 2021 (Perfecte d SS SCS SB 289), officials from the **Department of Natural Resources**, the **Department of Public Safety – (Capitol Police and Office of the Director)**, the **Department of Social Services**, the **Missouri Department of Conservation**, the **Kansas City Police Department**, and the **St. Louis County Police Department** each assumed the proposal will have no fiscal impact on their respective organizations.

In response to similar legislation from 2021 (Perfecte d SS SCS SB 289), officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** assumed the proposal will have no fiscal impact on their organization.

In response to similar legislation from 2021 (HCS HB 839), the **MHP** stated there is no cost associated with law enforcement agency Rap Back Program enrollment, nor for law enforcement officer fingerprint submission.

In response to a previous version (SB 289), officials from the **Crestwood Police Department**, the **St. Joseph Police Department**, and the **Walnut Grove Police Department** each assumed 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.

#### §590.192 – 988 Public Safety Fund

In response to a previous version, officials from the **Department of Public Safety - Office of the Director (DPS)** stated the creation of the new fund does not by itself create a need for additional staffing and resources in the Department of Public Safety. However, if the department is required to manage the fund, promulgate rules, and disperse payments it would require an additional staff person to accomplish these activities.

**Oversight** notes because this is a dedicated fund under the Department of Public Safety, staff may be required to administer this program. Therefore, Oversight will reflect a \$0 to (Unknown) impact to DPS for fiscal note purposes.

**Oversight** notes §590.192 creates the “988 Public Safety Fund” for the purpose of providing services for peace officers to assist in coping with stress and potential psychological trauma resulting from a response to a critical incident or emotionally difficult event. The fund shall consist of moneys appropriated by the General Assembly. Oversight will reflect the possibility that the General Assembly could appropriate moneys to this new fund from the General Revenue Fund. Oversight also assumes all appropriated moneys, if any, will be expended in the same year on services such as consultation, risk management, education, intervention, and other crisis intervention services provided by DPS to peace officers affected by a critical incident.

#### §590.502 – Law Enforcement Officer Disciplinary Actions

In response to a previous version, officials from the **City of Kansas City** stated §590.502.6 could have a negative fiscal impact on Kansas City if the City has to pay a judgment (Kansas City is responsible for its police department's budget) for a police officer's gross negligence.

**Oversight** notes the (Unknown) impact for the City of Kansas City and is unable to project a statewide cost; therefore, the impact to local governments-political subdivisions will be presented as \$0 to (Unknown).

In response to a previous version, officials from the **Northwest Missouri State University** stated there will be a need for legal fees, officer time compensation, administrative and human resources commitment. Planning on one case a year: legal – 80 hours x \$350 = \$28,000; officer 40 hours x \$31 = \$1,240; 80 administrator 80 hours x \$39 = 3,120; human resources 80 hours x \$29 = \$2,320 which equates to approximately \$34,680 annually.

**Oversight** assumes Northwest Missouri State University's impact is in regard to §590.502 and will reflect their response under this section.

**Oversight** notes the impact for Northwest Missouri State University and is unable to project a statewide cost; therefore, the impact to Colleges and Universities will be presented as \$0 to (Unknown).

§590.1265 – Police Use of Force Transparency Act

In response to similar legislation from 2021 (HCS HB 998), officials from the **Department of Public Safety - Office of the Director (DPS)** stated in order to receive and analyze use of force data under this new language, the DPS is requesting one (1) FTE Research/Data Analyst. The department will also need ITSD assistance in order to set up a system to receive information and put it into a format to analyze for reporting purposes.

**Oversight** notes the provisions of this bill have a delayed effective date of January 1, 2022. Therefore, Oversight will adjust the fiscal impact provided by the DPS to 6 months for FY 2022.

In response to similar legislation from 2021 (HCS HB 998), officials from the **Attorney General's Office**, the **Department of Natural Resources**, the **Department of Public Safety – (Capitol Police and Missouri Highway Patrol)** the **Department of Social Services**, the **Kansas City Police Department**, and the **St. Joseph Police Department** each assumed the proposal will have no fiscal impact on their respective organizations.

In response to a previous version (HB 998), officials from the **Missouri Department of Conservation** assumed the proposal will 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 these agencies for this section.

In response to similar legislation from 2021 (HCS HB 998), officials from the **St. Louis County Police Department** state the proposed legislation would require the Department to collect various types of data from use of force incidents to submit to the Department of Public Safety. While the Department currently reports any uses of force resulting in fatalities or serious injury to the FBI's National Use of Force Data Collection, the proposed legislation does not specify if additional information would need to be collected for other types of uses of force. This may become problematic if some of the information that would need to be collected for the DPS is not already tracked by the Department. If this were the case, the Department would need to devote additional time, training, and resources in order to develop and utilize new methods to track the required information. Therefore, without knowing the specific information that the Department is required to report to the DPS, it is impossible to determine an estimated cost on the proposed legislation.

**Oversight** notes the provisions of this bill require the DPS to establish and operate a system to intake and report on use-of-force incidents consistent with the Federal Bureau of Investigation's National Use of Force Data Collection. Therefore, Oversight assumes the St. Louis Police Department will be able to implement the provisions within the proposal with existing resources.

§§565.058, 574.203, and 574.204 – Filing of certain petitions and protection of health care workers

In response to similar legislation from 2021 (HCS HB 1022), officials from the **Attorney General's Office**, the **Department of Commerce and Insurance**, the **Department of Corrections**, the **Department of Health and Senior Services**, the **Department of Mental Health**, the **Department of Public Safety - Missouri Highway Patrol**, the **Department of Social Services**, the **Missouri Department of Transportation**, the **Office of the State Courts Administrator**, the **Office of the State Public Defender**, the **City of Claycomo**, the **City of Jefferson City**, the **City of Kansas City**, the **City of Springfield**, the **Boone County Health Department**, the **Kansas City Health Department**, the **St. Joseph Police Department**, the **St. Louis County Police Department**, the **Cass County PWSD #2**, the **Hancock Street Light District**, the **Metropolitan St. Louis Sewer District**, the **Schell City Water Department**, the **South River Drainage District**, the **St. Charles County PWSD #2**, and the **Wayne County PWSD #2** each assumed the proposal will have no fiscal impact on their respective organizations.

In response to similar legislation from 2021 (HCS HB 1022), officials from the **Missouri Office of Prosecution Services (MOPS)** assumed the proposal will have no measurable fiscal impact on MOPS. The enactment of new crimes (574.203.2 and 574.204.2) creates additional responsibilities for county prosecutors and the circuit attorney which may, in turn, result in additional costs, which are difficult to determine.

In response to a previous version (HB 1022), officials from the **Kansas City Police Department**, the **Newton County Health Department**, the **Crawford County 911 Board**, the **Nodaway County Ambulance District**, and the **Hermann Area Hospital District** each assumed the proposal will have no fiscal impact on their respective organizations.

In response to similar legislation from 2021 (SB 513), officials from the **City of Corder**, the **City of O'Fallon**, the **City of St. Louis**, the **Corder Water/Wastewater**, the **Lexington Water/Wastewater**, and the **Little Blue Valley Sewer** each assumed 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 sections for these agencies.

§610.140 – Expungement of records

In response to similar legislation from 2021 (SB 540), officials from the **Department of Corrections (DOC)** assumed the proposal will 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.

In response to similar legislation from 2021 (SB 540), officials from the **Attorney General’s Office**, the **Department of Public Safety - Missouri Highway Patrol**, the **Department of Revenue**, the **Missouri Department of Transportation**, the **Missouri Office of Prosecution Services**, the **Office of the State Courts Administrator**, the **City of Corder**, the **City of Kansas City**, the **City of O’Fallon**, the **City of Springfield**, the **City of St. Louis**, the **Kansas City Police Department**, and the **St. Louis County Police Department** each assumed 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.

§650.335 – Emergency services

In response to similar legislation from 2021 (HB 1086), officials from the **Office of Administration - Budget and Planning (B&P)** stated this proposal has no direct impact on B&P, has no direct impact on general or total state revenues, and will not impact the calculation pursuant to Art. X, Sec. 18(e).

In response to similar legislation from 2021 (HB 1086), officials from the **Department of Revenue** and the **Department of Public Safety - Office of the Director** each assumed 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.

Bill as a Whole

In response to a previous version, officials from the **Missouri Department of Conservation (MDC)** stated an unknown fiscal impact, but likely less than \$250,000 for training.

**Oversight** notes without elaboration from the MDC and statements of no impact from other law enforcement agencies, Oversight will assume the MDC will be able to implement the provisions within the proposal with existing resources.

In response to a previous version, officials from the **Missouri Office of Prosecution Services (MOPS)** assumed the proposal will have no measurable fiscal impact on MOPS. The enactment



of a new crime (574.045) creates additional responsibilities for county prosecutors and the circuit attorney which may, in turn, result in additional costs, which are difficult to determine.

In response to a previous version, officials from the **Office of the Secretary of State (SOS)** noted many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The Secretary of State's office is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to Secretary of State's office for Administrative Rules is less than \$5,000. The Secretary of State's office recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, they also recognize that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what their office can sustain with their core budget. Therefore, they reserve the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

**Oversight** assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could require additional resources.

In response to a previous version, officials from the **Department of Higher Education and Workforce Development**, the **Department of Mental Health**, the **Department of Natural Resources**, the **Department of Public Safety – (Capitol Police and Fire Safety)**, the **Department of Social Services**, the **Missouri Department of Transportation**, the **Joint Committee on Administrative Rules**, the **Office of the State Courts Administrator**, the **City of Claycomo**, the **City of Corder**, the **Kansas City Police Department**, the **St. Louis County Police Department** and the **University of Central Missouri** each assumed the proposal will have no fiscal impact on their respective organizations.

In response to a previous version, officials from the **Fruitland Area Fire Protection District** responded to the legislation but did not provide a fiscal impact.

In response to a previous version, officials from the **Attorney General's Office**, the **Department of Labor and Industrial Relations**, the **Department of Public Safety – Missouri Highway Patrol**, the **Office of Administration**, the **Office of the State Treasurer**, the **City of O'Fallon**, the **City of Springfield**, the **Ellisville Police Department**, the **St. Joseph Police Department**, the **Crawford County 911 Board**, and **Missouri State University** each assumed the proposal will have no fiscal impact on their respective organizations.

**Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

<u>FISCAL IMPACT – State Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024	Fully Implemented (FY 2031)
<b>GENERAL REVENUE FUND</b>				
<u>Savings – DOC</u> (§§558.011 and 558.031) Decrease in P&P officers p. 15-17	\$0 to...	\$0 to...	\$0 to...	\$0 to Greater than...
Personal service	\$1,453,230	\$1,761,300	\$1,778,940	\$2,240,095
Fringe benefit	\$938,215	\$1,137,112	\$1,148,492	\$1,446,230
Expense and Equipment	\$130,185	\$160,065	\$164,067	\$215,944
<u>Total savings - DOC</u>	\$0 to \$2,521,630	\$0 to \$3,058,477	\$0 to \$3,091,499	\$0 to \$3,902,269
FTE Change - DOC	0 to (45) FTE	0 to (45) FTE	0 to (45) FTE	0 to (55) FTE
<u>Savings – DOC p. 5-6</u> (§217.690) Decreased incarceration costs	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Savings – DOC</u> (§§557.045, 574.045, and 574.085) Fewer P&P officers p. 9-15				
Personal service	\$0	\$39,140	\$39,532	\$296,681
Fringe benefits	\$0	\$25,269	\$25,522	\$191,540
Equipment and expense	\$0	\$3,557	\$3,646	\$30,337
<u>Total savings - DOC</u>	\$0	\$67,966	\$68,700	\$518,558
FTE Change - DOC	0 FTE	(1) FTE	(1) FTE	(7) FTE
<u>Costs – DOC p. 9-15</u> (§§557.045, 574.045, and 574.085) Increased incarceration costs	(\$303,777)	(\$743,645)	(\$1,121,639)	(\$4,421,379)

<u>FISCAL IMPACT –</u> <u>State Government</u> (continued)	FY 2022 (10 Mo.)	FY 2023	FY 2024	Fully Implemented (FY 2031)
<b>GENERAL REVENUE FUND</b> (continued)				
<u>Costs – DOC</u> (§§558.011 and 558.031) Increased incarceration costs p 17	\$0 to (\$14,988,470)	\$0 to (\$18,345,887)	\$0 to (\$18,712,805)	\$0 to Greater than (\$24,362,448)
<u>Costs – DPS</u> p. 22 (§590.1265) Administer the Use of Force Act				Could exceed...
Personal services	(\$38,475)	(\$46,632)	(\$47,098)	(\$47,098)
Fringe benefits	(\$22,935)	(\$27,678)	(\$27,836)	(\$27,836)
Equipment and expense	(\$3,348)	(\$871)	(\$893)	(\$893)
IT Development/ database cost	(\$2,000)	(\$2,000)	(\$2,000)	(\$2,000)
Tableau License	(\$5,500)	(\$5,500)	(\$5,500)	(\$5,500)
<b>Total Costs - DPS</b>	<b>(\$72,258)</b>	<b>(\$82,681)</b>	<b>(\$83,327)</b>	<b>(\$83,327)</b>
FTE Change - DPS	1 FTE	1 FTE	1 FTE	1 FTE
<u>Transfer Out – to the</u> 988 Public Safety Fund §590.192 p. 21	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<b>ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND</b>	<b><u>(\$376,035 to could exceed \$12,842,875)</u></b>	<b><u>(\$758,360 to could exceed \$16,045,770)</u></b>	<b><u>(\$1,136,266 to could exceed \$16,757,572)</u></b>	<b><u>(\$3,986,148 to could exceed \$24,446,327)</u></b>
Estimated Net FTE Change on the General Revenue Fund	Less than (44) FTE	0 to (45) FTE	0 to (45) FTE	Less than (61) FTE

<u>FISCAL IMPACT – State Government (continued)</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024	Fully Implemented (FY 2031)
<b>AGRICULTURE PROTECTION FUND (0970)</b>				
<u>Revenue – MDA – increase in number of commercial NRUP license fees §281.035 p. 6</u>	\$0	\$0	\$91,630	Could exceed \$183,260
<u>Revenue – MDA – increase in number of non-commercial NRUP license fees §281.037 p. 6</u>	\$0	\$0	\$16,083	Could exceed \$32,165
<u>Costs – MDA (§§281.035 and 281.037) p. 6</u>				Could exceed...
Personal Services	\$0	\$0	(\$16,016)	(\$32,352)
Fringe Benefits	\$0	\$0	(\$11,079)	(\$22,264)
Computer network	\$0	\$0	(\$20,000)	\$0
Equipment and expense	\$0	\$0	(\$2,743)	\$0
<u>Total Costs – MDA</u>	<u>\$0</u>	<u>\$0</u>	<u>(\$49,838)</u>	<u>(\$54,616)</u>
FTE Change – MDA	0 FTE	0 FTE	1 FTE	1 FTE
<b>ESTIMATED NET EFFECT ON THE AGRICULTURE PROTECTION FUND</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$57,875</u></b>	<b><u>Could exceed \$160,810</u></b>
Estimated Net FTE Change to the Agriculture Protection Fund	0 FTE	0 FTE	1 FTE	1 FTE

<u>FISCAL IMPACT – State Government (continued)</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024	Fully Implemented (FY 2031)
<b>UNIVERSITY OF MISSOURI</b>				
<u>Savings – UM – revenue from fees for pesticide training §281.040 p. 6-7</u>	<u>\$0</u>	<u>\$0</u>	<u>\$200,000</u>	Could exceed... <u>\$400,000</u>
<b>ESTIMATED NET EFFECT ON THE UNIVERSITY OF MISSOURI</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$200,000</u></b>	<b><u>\$400,000</u></b>
<b>988 PUBLIC SAFETY FUND</b>				
<u>Transfer In – from General Revenue p. 21</u>	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
<u>Costs – DPS Administration and expenditures for the program p. 21</u>	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>
<b>ESTIMATED NET EFFECT TO THE 988 PUBLIC SAFETY FUND</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

<u>FISCAL IMPACT – State Government</u> (continued)	FY 2022 (10 Mo.)	FY 2023	FY 2024	Fully Implemented (FY 2031)
<b>COLLEGES AND UNIVERSITIES</b>				
<u>Costs</u> – (\$590.502) Litigation costs related to police officer’s negligence p. 21-22	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<b>ESTIMATED NET EFFECT ON COLLEGES AND UNIVERSITIES</b>	<b><u>\$0 to</u></b> <b>(Unknown)</b>	<b><u>\$0 to</u></b> <b>(Unknown)</b>	<b><u>\$0 to</u></b> <b>(Unknown)</b>	<b><u>\$0 to</u></b> <b>(Unknown)</b>

<u>FISCAL IMPACT – Local Government</u>	FY 2022	FY 2023	FY 2024	Fully Implemented (FY 2031)
<b>LOCAL GOVERNMENTS</b>				
<u>Costs</u> – Cities (\$590.502) Litigation costs related to police officer’s negligence p. 21-22	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<b>ESTIMATED NET EFFECT ON LOCAL GOVERNMENTS</b>	<b><u>\$0 to</u></b> <b>(Unknown)</b>	<b><u>\$0 to</u></b> <b>(Unknown)</b>	<b><u>\$0 to</u></b> <b>(Unknown)</b>	<b><u>\$0 to</u></b> <b>(Unknown)</b>

FISCAL IMPACT – Small Business

Certain small businesses that sell intoxicating liquor and/or lottery tickets could be impacted by this proposal. (§§311.060, 311.660, and 313.220)

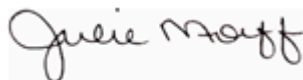
FISCAL DESCRIPTION

This act creates provisions relating to public safety.

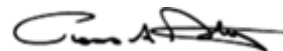
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Attorney General's Office  
Department of Corrections  
Department of Elementary and Secondary Education  
Department of Higher Education and Workforce Development  
Department of Labor and Industrial Relations  
Department of Mental Health  
Department of Natural Resources  
Department of Public Safety  
Department of Social Services  
Missouri Department of Conservation  
Missouri Department of Transportation  
Missouri Office of Prosecution Services  
Office of Administration  
Office of the Governor  
Office of the State Courts Administrator  
Office of the State Public Defender  
Office of the State Treasurer  
City of Claycomo  
City of Kansas City  
City of O'Fallon  
City of Springfield  
Crestwood Police Department  
Ellisville Police Department  
Kansas City Police Department  
St. Joseph Police Department  
St. Louis County Police Department  
Crawford County 911 Board  
Fruitland Area Fire Protection District  
Missouri State University  
University of Central Missouri



Julie Morff  
Director  
May 12, 2021



Ross Strobe  
Assistant Director  
May 12, 2021