

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4751S.05P
Bill No.: Perfected SS for SCS for SB 838
Subject: Energy; Department of Natural Resources; Public Service Commission; Utilities
Type: Original
Date: April 9, 2026

Bill Summary: This proposal modifies certain provisions relating to the means of energy production.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND

FUND AFFECTED	FY 2027	FY 2028	FY 2029
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS

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

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS

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

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)

FUND AFFECTED	FY 2027	FY 2028	FY 2029
Total Estimated Net Effect on FTE	0	0	0

- 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
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§§227.241, 260.035, 393.1025, 393.1030, 393.1905, and 393.1910 - Creation and Modification of Certain Provisions Relating to Electric Utilities.

Officials from the **Missouri Department of Transportation (MoDOT)** state that §227.241 requires MoDOT to allow "electric transmissions facilities" in highway rights-of-way which include rights-of-way containing "public interstate highways, freeways, controlled access highways, and state and county highways" subject to reasonable requirements set by the Missouri Highways and Transportation Commission and the Department.

Procedures in 7 CSR 10-3 already allow for the location of utilities in highway rights-of-way. There is also a variance procedure allowing for variation from these rules that must be approved by the Federal Highway Administration when it occurs on the interstate system.

The department assumes an unknown minimal impact, and those costs can be absorbed by the department. The department assumes resources will need to be dedicated to establish criteria and review new, expanded requests for accessing right of way for transmission line construction to ensure these requests comply with state and federal requirements.

Oversight assumes the MoDOT is provided with core funding to handle a certain amount of activity each year. Oversight assumes the MoDOT could absorb the costs related to this proposal. If multiple bills pass which require additional staffing and duties at substantial costs, the MoDOT could request funding through the appropriation process.

Officials from the **Office of Administration - Budget and Planning, Department of Commerce and Insurance, Department of Economic Development, and Department of Natural Resources** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other electric companies and co-ops 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.

Rule Promulgation

Officials from the **Joint Committee on Administrative Rules** assume this proposal is not anticipated to cause a fiscal impact beyond its current appropriation.

Officials from the **Office of the Secretary of State (SOS)** note many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS 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 the SOS for Administrative Rules is less than \$5,000. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes 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 the office can sustain with its core budget. Therefore, the SOS reserves 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.

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

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

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

The proposed legislation appears to have no direct fiscal impact.

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

SOURCES OF INFORMATION

Department of Commerce and Insurance
Department of Economic Development
Department of Natural Resources
Joint Committee on Administrative Rules
Missouri Department of Transportation
Office of Administration - Budget and Planning
Office of the Secretary of State



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April 9, 2026



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April 9, 2026