

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 5285S.11S  
 Bill No.: CCS for HCS for SS for SCS for SB Nos. 835 & 1111  
 Subject: Attorneys; Banks and Financial Institutions; Boards, Commissions, Committees, and Councils; Civil Procedure; Courts; Fees; Insurance - General; Insurance - Property; Judges; Liability; Public Records, Public Meetings; Saint Louis City;  
 Type: Original  
 Date: May 15, 2026

Bill Summary: This proposal modifies provisions relating to court procedures.

**FISCAL SUMMARY**

**ESTIMATED NET EFFECT ON GENERAL REVENUE FUND**

FUND AFFECTED	FY 2027	FY 2028	FY 2029
General Revenue	(\$0 to Could exceed \$1,520,839)	(\$0 to Could exceed \$1,825,007)	(\$0 to Could exceed \$1,825,007)
<b>Total Estimated Net Effect on General Revenue</b>	<b>(\$0 to Could exceed \$1,520,839)</b>	<b>(\$0 to Could exceed \$1,825,007)</b>	<b>(\$0 to Could exceed \$1,825,007)</b>

**ESTIMATED NET EFFECT ON OTHER STATE FUNDS**

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

Numbers within parentheses: () indicate costs or losses.

**ESTIMATED NET EFFECT ON FEDERAL FUNDS**

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

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

FUND AFFECTED	FY 2027	FY 2028	FY 2029
General Revenue	Up to 19 FTE	Up to 19 FTE	Up to 19 FTE
<b>Total Estimated Net Effect on FTE</b>	<b>Up to 19 FTE</b>	<b>Up to 19 FTE</b>	<b>Up to 19 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
<b>Local Government</b>	<b>Up to \$130,200</b>	<b>Up to \$156,240</b>	<b>Up to \$156,240</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.

#### §478.003 – Treatment Courts

In response to similar legislation, HCS for SB 945 (2026), officials from the **Office of the State Courts Administrator (OSCA)** stated the proposed legislation modifies and establishes provisions relating to court operations.

Section 478.003 adds treatment court administrators, subject to appropriations, in each circuit with a treatment court division that has neither a treatment court administrator nor a treatment court commissioner.

The following circuits would be eligible for treatment court administrators: third; fourth; eighth; tenth; fourteenth; fifteenth; seventeenth; eighteenth; twenty-fifth; twenty-sixth; twenty-seventh; thirtieth; thirty-first; thirty-fourth; thirty-seventh; thirty-eighth; forty-first; forty-third; and forty-sixth.

The FY27 salary is projected to be \$1,768,425 ( $\$93,075 * 19$  FTE) including fringe, plus E&E of \$56,582 ( $\$2,978 * 19$  FTE) of that \$40,223 is one-time ( $\$2,117 * 19$  FTE one-time).

If the compensation of an administrator is provided from a source other than state funds, that source would need to be reimbursed for the actual costs of the salary and benefits.

**Oversight** has no information to the contrary. Oversight will range costs for the treatment court administrators from \$0 to \$1,825,007 ( $\$93,075 + \$2,978 = \$96,053 * 19$  circuits) annually to General Revenue.

#### §478.700 – Circuit judges in the 25<sup>th</sup> District

**Oversight** notes in response to similar legislation, HCS SB 1067 (2026), OSCA officials did not submit a response for this section. Oversight notes §478.700 provides for three (3) circuit judges in the 25<sup>th</sup> judicial circuit. OSCA's 2027 budget already shows 3 circuit judges for this judicial circuit. This legislation appears to clarify election dates for the existing judges. Oversight assumes no fiscal impact for this section.

§488.426 – St. Louis City Circuit Court Civil Case Filing Fee

In response to similar legislation, HCS SB 945 (2026), officials from the **Office of the State Courts Administrator (OSCA)** stated the proposed legislation allows the circuit court in St. Louis City to collect a fee not to exceed twenty dollars, rather than fifteen, to go toward the law library.

During the past five years there was an average of 11,383 circuit civil case filings, 4,856 domestic relations civil case filings and 15,009 associate civil and small claims civil case filings for a total of 31,248 case filings.

Based upon the increase in the collection fee not to exceed \$20.00, rather than \$15.00, to go toward the library, OSCA estimates the increase to be \$0 to \$156,240 (\$5 x 31,248).

**Oversight** assumes fees collected would go directly to the St. Louis City Circuit Court and will present a positive fiscal impact of \$0 to \$156,240 (\$5 x 31,248) annually. Oversight also assumes the provisions of this section will not create a material fiscal impact to local political subdivisions other than St. Louis City Circuit Court.

In response to similar legislation, HCS SB 1067 (2026), officials from the **Office of Administration - Budget and Planning (B&P)** stated §488.426 appears to alter the scope of circuits to which certain surcharge authorizations apply, potentially impacting TSR.

These changes would potentially increase Total State Revenue. B&P defers to OSCA for specific estimates of the potential impact.

§§513.380, 513.423, 513.430, 513.475, and 525.235 – Provisions Relating to Attachment, Execution and Garnishment in Civil Proceedings

In response to similar legislation, HCS SS SCS SBs 835 & 1111, officials from the **Office of the State Courts Administrator (OSCA)** stated this proposal may have some impact but there is no way to quantify that amount currently. Any significant changes will be reflected in future budget requests.

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

In response to similar legislation, HCS SS SCS SBs 835 & 1111, officials from the **City of Kansas City (City)** stated the proposed legislation has a negative fiscal impact of an indeterminate amount but at least \$250,000 annually. Currently, the banks are required to hold all funds in the account on the day the garnishment is served and any money deposited after that date until the return date of the garnishment.

For example, if the garnishment is served on a Thursday and there is \$500 in the bank account, the bank would hold that \$500. If the defendant had a direct deposit that went in the next day of \$2000, the bank would also hold that \$2000. At the return date, the bank would send the \$2500 plus any other funds held. Under this new section the bank would only send the \$500 and nothing that is put into the account afterwards. The majority of the funds the City collects through garnishment come from later deposited amounts. This legislation would substantially impact the revenues received. Additionally, since the City does not control when the sheriff actually serves the bank, the City would have no ability to time the service to make sure that the City obtained the maximum amount of funds. In addition, in subsection (3), the change from \$600 to \$1,500 wildcard exemption would reduce the amount the City could collect in a garnishment if a party were to invoke this section.

In addition, there is language in the bill that will give the financial institution 60 days to pay out potentially (§525.235.8), although that section is confusing and it seems like the legislature is using the words judgment debtor when they mean judgment creditor. Depending on which they mean, this section would either run afoul of Supreme Court Rule 90.10 (if they mean judgment creditor) which requires that the garnishee pay/deliver such property to the court or attorney not later than ten days after the return date without order of the Court, or (if they do mean judgment debtor) it could cause undue hardship for the judgment debtor by freezing their account for up to 60 days.

**Oversight** assumes there will be a potential loss to all local political subdivisions annually. Oversight notes §525.235 has an effective date of January 1, 2028. The repeal and reenactment of all other sections is effective January 1, 2027.

Officials from the **Department of Revenue (DOR)** provide the following:

§513.380 Debtor's Examinations

This provision amends the practice of debtor's examinations. This provision will not impact DOR's collections as it is granted unique subpoena and examination authority under other statutes.

§§513.423 – 525.235 Execution Collection Remedies

These provisions seek to amend and enact new statutes regarding exempt property under execution collection remedies and the dollar value of such exempt property. These provisions will have no impact on DOR's collection as no statute in Chapter 513 exempts property from state tax collections.

Additionally, §525.235 is attempting to set forth guidelines and responsibilities for bank garnishments. Before this provision, wage and bank garnishments were covered by the same statutes creating some unanswered issues for bank garnishments. This new provision clarifies the bank's role in garnishment processing as well as treating Missouri bank garnishments more like an IRS levy (i.e., the levy attaches only to funds existing at the time of service on the bank, not an ongoing levy on future deposits). This levy method may impact the amount recovered by the DOR by potentially decreasing collections, but it should be minimal.

None of the other sections impact DOR.

**Oversight** has no information to the contrary. Oversight assumes the “minimal” reduction in collections will be absorbable by the DOR and will present no fiscal impact to the DOR for this fiscal note.

In response to a previous version, officials **Attorney General's Office** assumed 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.

In response to similar legislation, HCS SS SCS SBs 835 & 1111, officials from the **Office of Administration - Budget and Planning (B&P)** deferred to the local government for the fiscal impact. There will be no impact on B&P, general, or total state revenue.

**Oversight** has no information to the contrary. Therefore, Oversight assumes no fiscal impact for B&P for this proposal.

In response to similar legislation, HCS SS SCS SBs 835 & 1111, officials from the **Legislative Research-Office of the Revisor** 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 previous version, SB 835, officials from the **City of Osceola** 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.

§537.529 – Uniform Public Expression Protection Act

In response to a previous version, officials from the **Office of the State Courts Administrator (OSCA)** stated this proposal may have some impact but there is no way to quantify that amount currently. Any significant changes will be reflected in future budget requests.

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

In response to similar legislation, HCS SB 1067, from the **City of Kansas City** state the proposed legislation has a potential negative fiscal impact of an indeterminate amount because it increases the City's exposure to liability.

In response to similar legislation, SB 503 (2025), officials from the **Concordia R-II School District** stated the fiscal impact of this proposal would be approximately \$7,000 in increased legal fees per action.

**Oversight** notes based on the local responses above there is potential negative fiscal impact due to increased legal expenses. Therefore, Oversight will reflect a \$0 or (Unknown) cost to local political subdivisions. Oversight assumes costs to local political subdivisions will be less than \$250,000 annually.

In response to a previous version of this proposal, officials from the **Office of Attorney General (AGO)** assumed 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.

Bill as a Whole

Officials from the **Department of Public Safety (Director's Office and Missouri Highway Patrol), Department of Social Services, Office of the State Treasurer, Joint Committee on Administrative Rules, Missouri Senate, and Phelps County Sheriff's Office** each assume the proposal will have no fiscal impact on their organizations. **Oversight** has no information to the contrary. Therefore, Oversight will present no fiscal impact for these organizations.

<u>FISCAL IMPACT – State Government</u>	FY 2027 (6 Mo.)	FY 2028	FY 2029
<b>GENERAL REVENUE</b>			
<u>Cost</u> – OSCA (various sections including §§513.380, 513.423, 513.430, 513.475, 525.235 and 537.529) Potential increase in court costs p. 4	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<u>Cost</u> – OSCA (§478.003) Treatment court administrator costs p.3	(\$0 to <u>\$1,520,839</u> )	(\$0 to <u>\$1,825,007</u> )	(\$0 to <u>\$1,825,007</u> )
FTE Change - OSCA	Up to 19 FTE	Up to 19 FTE	Up to 19 FTE
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b>(\$0 to Could exceed <u>\$1,520,839</u>)</b>	<b>(\$0 to Could exceed <u>\$1,825,007</u>)</b>	<b>(\$0 to Could exceed <u>\$1,825,007</u>)</b>
Estimated Net FTE Change on General Revenue	Up to 19 FTE	Up to 19 FTE	Up to 19 FTE

<u>FISCAL IMPACT – Local Government</u>	FY 2027 (6 Mo.)	FY 2028	FY 2029
<b>LOCAL POLITICAL SUBDIVISIONS</b>			
<u>Revenue</u> – St. Louis City Circuit (§488.426) Increase in fees for law library p.4	Up to \$130,200	Up to \$156,240	Up to \$156,240
<u>Loss</u> – Cities (§525.235) Potential reduction in garnishments collected p.4-6	\$0	(Unknown)	(Unknown)
<u>Cost</u> – (§537.529) Potential increase in liability costs p.7	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<b>ESTIMATED NET EFFECT ON POLITICAL SUBDIVISIONS</b>	<b><u>Up to \$130,200</u></b>	<b><u>Up to \$156,240</u></b>	<b><u>Up to \$156,240</u></b>

FISCAL IMPACT – Small Business

This proposal may have a negative impact on small businesses that have garnishments in place to collect owed funds.

FISCAL DESCRIPTION

**INSURER'S LEGAL TITLE TO CLAIM PAID AND ASSIGNMENT OF POST-LOSS INSURANCE BENEFIT (SECTION 379.135)**

Upon payment by an insurer of all or any part of a claimant's property damage claim, legal title to the portion of the claim paid shall vest in the insurer to the extent of such payment. No assignment or other action by the claimant shall be required for the insurer to enforce its legal title. The claimant shall retain legal title only to that portion of the property damage claim not paid by the insurer.

This act prohibits assignment of post-loss benefits under any policy of insurance covering property, including, but not limited to, any right of action against the insurer or any proceeds acquired from the insurer. A person shall not solicit or accept an assignment, in whole or in part, of any post-loss insurance benefit for property damage under a contract of insurance. Any agreement to assign post-loss benefits is null and void. The provisions of this act shall not apply to an assignment, transfer, pledge, or conveyance granted to a financial institution, mortgagee, lienholder, or a subsequent purchaser of the property. A violation of this act shall be considered a level two insurance violation.

**STATEWIDE COURT AUTOMATION (SECTION 476.055)**

This act modifies provisions of law related to the Statewide Court Automation Committee ("Committee").

Specifically, this act provides that the Chief Justice of the Supreme Court of Missouri, the Executive Director of the Missouri Office of Prosecution Services, and the Director of the Missouri State Public Defender System shall now serve as ex-officio members. For the House and Senate members on the Committee, one shall be a member of the majority party and one shall be a member of the minority party. Furthermore, the appointed members of the Committee shall serve for terms of two years or until their successors are appointed. Members of the Committee may also be reimbursed from the Statewide Court Automation Fund for actual expenses related to the duties of the Committee.

Furthermore, this act provides that the Committee shall maintain, rather than implement, a statewide court automation system.

This act also describes "confidential judicial record" for purposes of the offenses related to releasing information from a confidential judicial record as those provided by Missouri Supreme Court Rules.

Currently, the Committee is required to file a report on the progress of the statewide court automation system with the chairs of certain House and Senate Committees on the February 1st, May 1st, August 1st, and November 1st of each year. Instead, this act provides that the report shall be filed electronically on January 15th of each year.

Lastly, this act removes the expiration of the Committee upon completion of its duties.

#### TREATMENT COURTS (SECTION 478.003)

This act provides that in each treatment court division without a treatment court administrator or a treatment court commissioner, the court shall employ a treatment court administrator, subject to appropriations or other funds available. If other funds available are used, the source shall reimburse the state for the costs of the salary and benefits of the administrator.

#### ST. LOUIS CITY CIVIL CASE FILING FEE (SECTION 488.426)

Currently, any circuit court may collect a civil case filing surcharge of an amount not to exceed \$15 for the maintenance of a law library, the county's or circuit's family services and justice fund, or courtroom renovation and technology enhancement. If the circuit court reimburses the state for salaries of family court commissioners or is the circuit court in Jackson County, the surcharge may be up to \$20. This act provides that the circuit court in the City of St. Louis may charge a filing surcharge up to \$20.

#### ATTACHMENT, EXECUTION, AND GARNISHMENTS (SECTIONS 513.380 TO 525.235)

This act modifies provisions relating to attachment, execution, and garnishments.

Under current law, whenever an execution against the property of any judgment debtor shall be returned unsatisfied, within five years of the return, the judgment creditor may be entitled to an order by the court rendering such judgment, requiring the judgment debtor to undergo an examination on the ability and means to satisfy the judgment, and in the case of neglect or refusal, issuing a writ of attachment and punishing the judgment debtor for contempt. This act instead provides a judgment creditor shall, upon motion made at any time before the judgment is satisfied of record and presumed paid, be entitled to such orders.

Additionally, under current law, a judgment debtor may be granted immunity from prosecution by any prosecuting or circuit attorney for statements made at a judgment debtor's examination. This act instead provides that a judgment debtor shall enjoy full use and derivative immunity and that no testimony in an examination may be used against a witness, except in cases of perjury or for giving false statements.

This act changes the maximum value, adjusted annually for inflation, of certain items that are exempt from attachment and execution, including household items, wedding rings and other jewelry, motor vehicles, and mobile homes. This act also modifies the homestead exemption from \$15,000 to the aggregate value of \$40,000.

This act provides that the maximum value for the property that is exempted from attachment and execution and the amount of a homestead exemption shall be adjusted by the Revisor of Statutes every three years beginning April 1, 2029.

This act outlines orders of garnishment issued for the purpose of attaching to account funds held by a financial institution, as such term is defined in the act. Such orders shall attach on the date of service, provided that the effective date of service is a banking day and made prior to the business cutoff time, in which case it shall attach the next business day. If an account receives electronic deposits for exempted funds, the attachment date shall be the date and banking day that the financial institution applies for the look-back analysis. Additionally, where there are two or more accounts, the amount may be withheld from any of the accounts belonging to the judgment debtor and attachment dates between the accounts may be different depending on the look-back analysis.

If the account is held in joint tenancy with an individual not subject to the order of garnishment, the entire amount shall be withheld and the garnishee shall provide a copy of the order of garnishment to each account holder within two business days. Within 30 days of the date of the attachment of the garnishment, each account holder may file an objection or request of exemption of all or a portion of the account with the issuing court and serve their objection or request on the garnishor and the garnishee. If such objection or request is not resolved within 30 days of the timely filing of the objection or request of exemption, the garnishee may pay the garnished funds to the circuit court to be held for pending resolution.

The return date for orders of garnishment shall not be less than 30 days from the effective date of service. This act also provides certain information to be included in orders of garnishment for funds held by financial institutions.

No party shall seek a garnishment of account funds held by a financial institution unless there is a good-faith belief that the party to be served with the garnishment has, or will have, account assets of the judgment debtor. No more than one garnishment for the same claim and against the same judgment debtor shall be issued within any 30-day period, unless exempted by court order as detailed in the act.

Furthermore, a financial institution does not have a duty to investigate or assert the defenses of a judgment debtor. A financial institution served with an order of garnishment and interrogatories shall answer within 20 days and shall release funds to the judgment debtor 60 days after an answer is submitted or sooner if required under an order to pay or paid into the court. A financial institution is not required to respond to interrogatories not related to account funds.

This act does not apply to wage garnishments or garnishments of property other than account funds. Garnishees are also not required to search for, hold, or return wages or other property.

The provisions relating to orders of garnishment of account funds held by financial institutions shall be implemented and administered in accordance with rules of the Supreme Court of Missouri.

A garnishee acting in good faith compliance with a facially valid order of garnishment shall not be liable to any debtor, creditor, or other person for withholding, restraining, or releasing funds in reasonable reliance upon the terms of the writ or order. A garnishee shall not be required to adjudicate competing claims to property or funds, determine the legal validity of the judgment, or investigate facts outside the information contained in the writ or the garnishee's business records. A garnishee shall be liable for damages arising from a garnishment only if the garnishee fails to follow the clear and express terms of the writ or order, such failure constitutes gross negligence or willful misconduct, and actual damages are proven. A garnishee shall not be liable if correction is made within five business days after receiving written notice identifying the alleged error and the garnishee promptly releases any improperly restrained funds. However, temporarily restraining funds pending review of a claimed exemption shall not create liability if the garnishee, garnishor, and judgment debtor or other persons act as required by law.

The provisions of this act relating to orders of garnishment for funds held by financial institutions shall be effective on January 1, 2028, while the provisions of this act relating to the attachment and execution are effective January 1, 2027.

#### UNIFORM PUBLIC EXPRESSION PROTECTION ACT (SECTION 537.529 AND THE REPEAL OF SECTION 537.528)

This act establishes the "Uniform Public Expression Protection Act". Currently, any action against a person for conduct or speech undertaken or made in connection with a public hearing or meeting in a quasi-judicial proceeding before a tribunal or decision-making body of the state or a political subdivision thereof is subject to a special motion to dismiss, a motion for judgment on the pleadings, or motion for summary judgment and any such motion shall be considered by the court on a priority or expedited basis. This act repeals this provision and creates procedures for dismissal of causes of action asserted in a civil action based on a person's:

- (1) Communication in a legislative, executive, judicial, administrative, or other governmental proceeding;
- (2) Communication on an issue under consideration or review in a legislative, executive, judicial, administrative, or other governmental proceeding; or
- (3) Exercise of the right of freedom of speech or of the press, the right to assemble or petition, or the right of association, guaranteed by the United States Constitution or the Missouri Constitution, on a matter of public concern.

However, this act shall not apply to a cause of action asserted:

- (1) Against a governmental unit, as described in the act, or an employee or agent of a governmental unit acting in an official capacity;
  - (2) By a governmental unit or an employee or agent of a governmental unit acting in an official capacity to enforce a law to protect against an imminent threat to public health or safety;
- or

(3) Against a person primarily engaged in the business of selling or leasing goods or services if the cause of action arises out of a communication related to the sale or lease of such goods or services.

No later than 60 days after a party is served with a complaint, cross-claim, counterclaim, third-party claim, or other pleading that asserts a cause of action covered by this act, or at a later time upon a showing of good cause, a party may file a special motion to dismiss. The court shall hear and rule on such motion no later than 60 days after the filing of the motion, unless the court orders a later hearing to allow for limited discovery or upon good cause. However, this act provides that the court shall hear and rule on the motion for dismissal no later than 60 days after the order allowing for discovery.

This act provides that all other proceedings between the moving party and the responding party in the action, including discovery and any pending hearings or motions, shall be stayed upon the filing of the special motion to dismiss. Additionally, this act provides that the court may stay, upon motion by the moving party, a hearing or motion involving another party or discovery by another party if a ruling on such hearing or motion or discovery relates to a legal or factual issue.

Any stay pursuant to this act shall remain in effect until the entry of an order ruling on the special motion to dismiss and the expiration of the time to appeal the order. A moving party may appeal an order denying the special motion to dismiss in whole or in part within 21 days of such order. If a party appeals an order ruling on a special motion to dismiss, this act provides that all proceedings between all parties shall be stayed until the conclusion of the appeal.

The court may allow discovery if a party shows that specific information is necessary to establish whether a party has satisfied or failed to satisfy the requirements of this act and such information is not reasonably available without discovery. Additionally, a motion for costs and expenses, voluntary dismissal, or a motion to sever shall not be stayed. During a stay, the court upon good cause may hear and rule on any motions unrelated to the special motion to dismiss and any motions seeking a special or preliminary injunction to protect against an imminent threat to public health or safety.

In ruling on a special motion to dismiss, this act provides that the court shall consider the parties' pleadings, the motion, any replies and responses to the motion, and any evidence that could be considered in a ruling on a motion for summary judgment. The court shall dismiss the cause of action with prejudice if:

- (1) The moving party has established that the cause of action is covered by this act;
- (2) The responding party has failed to establish that this act does not apply to the cause of action; and
- (3) Either the responding party failed to establish a prima facie case as to each essential element of the cause of action, or the moving party has established that the responding party failed to state a cause of action upon which relief can be granted or that there is no genuine issue as to any material fact and that the party is entitled to judgment as a matter of law.

A voluntary dismissal without prejudice of a cause of action that is subject to a special motion to dismiss pursuant to this act shall not affect the moving party's right to obtain a ruling on the motion and seek costs, reasonable attorneys' fees, and reasonable litigation expenses. Additionally, if the moving party prevails on the motion, this act provides that such costs, fees, and expenses shall be awarded to the moving party. A voluntary dismissal with prejudice of a cause of action that is subject to a special motion to dismiss establishes that the moving party prevailed on the motion. The responding party shall be entitled to such costs, fees, and expenses if the responding party prevails on the motion and the court finds that the motion was frivolous or filed solely with the intent to delay the proceeding.

Finally, this act applies to causes of action filed or asserted on or after August 28, 2026.

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  
Office of Administration – Budget and Planning  
Department of Revenue  
Department of Public Safety  
    Director's Office  
    Missouri Highway Patrol  
Office of the State Courts Administrator  
Office of the State Treasurer  
City of Kansas City  
City of Osceola  
Joint Committee on Administrative Rules  
Legislative Research – Revisor of Statutes  
City of Osceola  
City of Kansas City  
Concordia R-II School District



Julie Morff  
Director  
May 15, 2026



Jessica Harris  
Assistant Director  
May 15, 2026