

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5530S.15P
 Bill No.: Perfected SS#2 for SB 999
 Subject: Abortion; Attorney General; Children and Minors; Crimes and Punishment;
 Criminal Procedure; Domestic Relations; Health Care; Health Care Professionals;
 Public Health; Liability; Medical Procedures and Personnel; Nurses; Physicians;
 Victims of Crime
 Type: Original
 Date: May 6, 2026

Bill Summary: This proposal modifies provisions relating to vulnerable persons.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND

FUND AFFECTED	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2034)
General Revenue*	(\$315,342 to Unknown)	(\$434,367 to Unknown)	(\$754,284 to Unknown)	(\$1,151,168 to Unknown)
Total Estimated Net Effect on General Revenue	(\$315,342 to Unknown)	(\$434,367 to Unknown)	(\$754,284 to Unknown)	(\$1,151,168 to Unknown)

*DOC notes that current capacity will be met by July 2029 (FY 2033) or potentially much sooner. Therefore, Oversight has made the decision to reflect the marginal cost of incarceration up to an unknown cost if DOC needs to add staff and/or rehabilitate, expand or construct additional capacity. Oversight assumes the unknown cost has the potential to exceed \$250,000.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS

FUND AFFECTED	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2033)
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS

FUND AFFECTED	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2033)
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)

FUND AFFECTED	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2033)
General Revenue	1 FTE	1 FTE	2 FTE	3 FTE
Total Estimated Net Effect on FTE	1 FTE	1 FTE	2 FTE	3 FTE

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS

FUND AFFECTED	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2033)
Local Government	\$0	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Oversight was unable to receive some of the agency responses in a timely manner due to the short fiscal note request time. Oversight has presented this fiscal note on the best current information that we have or on prior year's information regarding a similar bill. 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.

§188.035 - "Born-Alive Abortion Survivors Protection Act"

In response to a previous version, officials from the **Department of Health and Senior Services (DHSS)** stated this proposal creates the Born-Alive Abortion Survivors Protection Act. Section 188.035.2 of the proposed legislation gives a child born alive during or after an abortion the same rights, privileges, and immunities available to other persons, citizens, and residents of this state, including any other liveborn child. The bill further adds requirements for care of the child and violation reporting, as well as allows for criminal, administrative, and civil liability for any person found in violation.

Pending the outcome of ongoing litigation, the Division of Regulation and Licensure's (DRL) Section for Health Standards and Licensure (HSL) will be responsible for facility licensing, inspection, and complaints

It is assumed that the Department can absorb the costs of this bill with current resources. However, if the workload significantly increased or other legislation was enacted, additional resources would be requested through the appropriation process.

Oversight assumes DHSS is provided with core funding to handle a certain amount of activity each year. Oversight assumes DHSS could absorb the costs related to this proposal. If multiple bills pass which require additional staffing and duties at substantial costs, DHSS could request funding through the appropriation process. Officials from the DHSS assume the proposal will have no fiscal impact on their organization.

In response to a previous version, 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.

In response to a previous version, officials from the **Department of Corrections (DOC)** stated although the bill repeals the potential to charge someone with murder in the second degree, which is a class A felony, department records do not allow for the identification of individuals whose convictions are based on actions outlined in the proposed legislation.

In response to a previous version, officials from the DOC assumed this section 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 for this section.

In response to a previous version, officials from the **Missouri Office of Prosecution Services (MOPS)** assumed the proposal would have no measurable fiscal impact on MOPS. The enactment of a new crime 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 State Courts Administrator** and **Office of the State Public Defender** each assumed the proposal would 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 organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note.

§192.990 – Pregnancy-Associated Mortality Review Board

In response to similar legislation, SCS for SB 871 (2026), officials from the **Department of Health and Senior Services (DHSS)** stated section 192.990.4 of the proposed legislation requires the Pregnancy-Associated Mortality Review (PAMR) Board to be comprised of “at least one member from each congressional district shall be selected to serve on the board, and membership shall be demographically diverse, including by race, ethnicity, sex, age, and rural and urban populations.” This would require the Office of Women’s Health (OWH) staff to review current members and identify new members to meet the requirements. Knowing where members are currently employed and their residences, OWH estimates that this will require finding many new members. To recruit new members, OWH would need to reimburse both travel expenses and a consultant stipend for each member. This would be needed because there are provider shortages in many areas of the state. So, finding providers that meet the new requirements and could dedicate the time needed to participate in file review and PAMR meetings would be difficult and would necessitate these additional costs. OWH estimates the cost to be \$300/meeting x 13 meetings=\$3,900.

Section 192.990.5 (3c) of the proposed legislation requires including the level and timing of prenatal and post-natal care. The OWH does an extremely thorough review of records available to identify the cause of maternal death, but this does not necessarily include the level and timing of prenatal care. Identifying what the providers’ levels of care for prenatal and postpartum care would be a new requirement. This would require additional effort. Additionally, prenatal and

postnatal care records are included but not always. This information is included when possible and readily available. But, because records relating to the maternal death is the primary aim, the OWH staff do not need to seek these extra records. To include this variable specifically would require additional effort. OWH would need a registered nurse to conduct additional medical record and case abstraction and potentially interviews with surviving family and friends to identify all medical care provided. These records are not always included currently because medical systems do not connect with one another. For example, currently the registered nurse that abstracts cases for OWH will request records from a care provider or hospital as indicated in death or birth records and/or certificates. However, to obtain the information newly included about the timing of prenatal and postnatal care, a nurse abstractor would need to find all care providers the decedent visited during this time. While the OWH cannot fully estimate the number of hours to obtain and abstract these records, the increase in record review could not be absorbed by current staff. To implement these changes, the Office on Women's Health would need to hire a Registered Nurse (with an average salary within DCPH of \$89,680 as of February 2026) working from the Jefferson City office.

Section 192.990.5 (11) of the proposed legislation adds an additional duty for the PAMR board members. The PAMR board and OWH staff currently review other state and organizational approaches through routine conferences, webinars, and review. Currently, OWH is only able to support one or two members join OWH to attend national conferences. However, with this being a specific responsibility of PAMR board members, the OWH would need to support all members to meet this role. Therefore, travel costs for conferences or in-state travel have been added to support their continuing education. This will allow members to be able to learn about emerging trends and best practices. This cost has been calculated at the same base amount projected for personnel in fiscal notes at \$5,640/member.

Oversight does not have any information to the contrary. **Oversight** assumes the DHSS would not need additional rental space for one (1) new FTE for this single proposal. However, Oversight notes, depending on the number of proposals passed during the legislative session that, cumulatively, DHSS may need additional rental space or capital improvements as determined by the Office of Administration, Facilities Management, Design and Construction.

§§565.090, 565.091, 565.405, 573.570, and 573.575 – Harassment, Cyberstalking, and Disclosure of Intimate Digital Depictions – as Amended by Senate Amendment 1

Officials from the **Department of Corrections (DOC)** state §565.090 expands the offense of harassment in the first degree, adding a class D felony if the defendant has previously been found guilty of a violation of this section or section 565.091, or any offense committed in another jurisdiction which, if committed in this state, would be chargeable or indictable as a violation of any offense listed in this section or section 565.091. As these are new crimes, there is little direct data on which to base an estimate, and as such, the department estimates an impact comparable to the creation of a new class D felony.

For each new violent class D felony, the department estimates four people will be sentenced to prison and four to probation. The average sentence for a violent class D felony offense is 5.7 years, with 3 years to first release. Probation sentences will be 4 years.

The cumulative impact on the department is estimated to be 16 additional offenders in prison and 23 additional offenders on field supervision by FY 2032.

Section 565.091 modifies the class E felony offense of harassment in the 2nd degree to include when a person has previously been found guilty of harassment in the 1st degree or 2nd degree. As these are new crimes, there is little direct data on which to base an estimate, and as such, the department estimates an impact comparable to the creation of a new class E felony.

For each new violent class E felony, the department estimates two people will be sentenced to prison and one to probation. The average sentence for a violent class E felony offense is 4 years, with 2.2 years to first release. Probation sentences will be 4 years.

The cumulative impact on the department is estimated to be 6 additional offenders in prison and 6 additional offenders on field supervision by FY 2030.

Section 565.405 creates the offense of cyberstalking if such person purposely engages in a threatening or aggressive course of conduct by using digital technology, internet service providers, or other electronic communications and devices to enhance the ability to intimidate, track or cause undue stress to another person. The penalty is a class A misdemeanor for the first offense, and a class E felony for any second or subsequent offense.

As misdemeanors fall outside the purview of DOC, there is no impact to DOC for the offense resulting in the class A misdemeanor. The offense resulting in a class E felony would be considered a new crime. As there is little direct data on which to base an estimate, the department estimates an impact comparable to the creation of a new class E felony.

For each new nonviolent class E felony, the department estimates one person could be sentenced to prison and two to probation. The average sentence for a nonviolent class E felony offense is 3.4 years, with 1.4 years to first release. Probation sentences will be 3 years.

The cumulative impact on the department is estimated to be 2 additional offenders in prison and 7 additional offenders on field supervision by FY 2029.

Section 573.570 creates the offense of disclosure of an intimate digital depiction. The penalties for this offense include: a class D felony for a violation of subdivision (1) of subsection 2; a class E felony for a violation of subdivision (2) of subsection 2; and, a class C felony if it is a second or subsequent violation of subsection 2 or it is reasonable to expect that the offense could impact government activity or facilitate violence.

As these are new crimes, there is little direct data on which to base an estimate, and as such, the department estimates an impact comparable to the creation of a new class E, D and C felony.

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 with 1.7 years to first release. 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 2031.

For each new nonviolent class E felony, the department estimates one person could be sentenced to prison and two to probation. The average sentence for a nonviolent class E felony offense is 3.4 years, with 1.4 years to first release. Probation sentences will be 3 years.

The cumulative impact on the department is estimated to be 2 additional offenders in prison and 7 additional offenders on field supervision by FY 2029.

For each new class C felony, the department estimates four people will be sentenced to prison and six to probation. The average sentence for a class C felony offense is 6.9 years with 2.1 years to first release. Probation sentences will be 3 years.

The cumulative impact on the department is estimated to be 15 additional offenders in prison and 19 additional offenders on field supervision by FY 2030.

Section 573.575 creates the offense of sadistic online exploitation if a person uses the internet to manipulate, hurt or threaten a victim through forcing their submission, use of violence, self-harm, or destruction, or to extort another person for financial gain. The penalty is a class E felony.

As these are new crimes, there is little direct data on which to base an estimate, and as such, the department estimates an impact comparable to the creation of a new class E felony.

For each new nonviolent class E felony, the department estimates one person could be sentenced to prison and two to probation. The average sentence for a nonviolent class E felony offense is 3.4 years, with 1.4 years to first release. Probation sentences will be 3 years.

The cumulative impact on the department is estimated to be 2 additional offenders in prison and 7 additional offenders on field supervision by FY 2029.

Cumulative Impact

The cumulative combined estimated impact is 51 additional offenders in prison and 81 additional offenders in the field population by FY 2030.

	# to prison	Cost per year	Total Costs for prison	Change in probation & parole officers	Total cost for probation and parole	# to probation & parole	Grand Total - Prison and Probation (includes 2% inflation)
Year 1	16	(\$11,123)	(\$148,307)	0	\$0	24	(\$148,307)
Year 2	32	(\$11,123)	(\$363,055)	0	\$0	44	(\$363,055)
Year 3	44	(\$11,123)	(\$509,184)	1	(\$102,428)	70	(\$611,612)
Year 4	51	(\$11,123)	(\$601,995)	1	(\$94,995)	81	(\$696,990)
Year 5	51	(\$11,123)	(\$614,035)	1	(\$96,001)	92	(\$710,036)
Year 6	51	(\$11,123)	(\$626,315)	1	(\$97,019)	99	(\$723,334)
Year 7	51	(\$11,123)	(\$638,842)	2	(\$205,578)	103	(\$844,420)
Year 8	51	(\$11,123)	(\$651,618)	2	(\$198,177)	103	(\$849,795)
Year 9	51	(\$11,123)	(\$664,651)	2	(\$200,284)	103	(\$864,935)
Year 10	51	(\$11,123)	(\$677,944)	2	(\$202,412)	103	(\$880,355)

The DOC will assume a marginal cost (multiplied by number of offenders) for any projected increase or decrease in the incarcerated population. Marginal cost is \$30.47 per day or an annual cost of \$11,123 per offender which includes costs such as medical, food, wages and operational E&E. The unknown amount is a result of the uncertainty in the growth of the underlying offender population. The impact of any new legislation combined with the growth of the underlying population could result in the tiered approach below in order to meet the population demands.

1. Fully staffing DOC's current capacity (27,368) which is habitable, but DOC does not have the staffing resources for all bed space.
2. Rehabilitating current space that is not currently habitable and obtaining staffing resources for that space (requires capital improvements).
3. Expanding new capacity by adding housing units or wings to existing prisons and obtaining staffing resources for that space (requires capital improvements).
4. Constructing a new prison and obtaining staffing resources. Based on current construction projects in other Midwest states, the DOC estimates the cost of constructing a new 1,500-bed maximum security prison at approximately \$825 million to \$900 million plus annual operating costs of approximately \$50 million (requires capital improvements).

The DOC's population projections indicate current physical capacity will be met by July 2029; however, recent trends indicate that capacity could be met much sooner. Should new construction be the result of the increasing offender population, the full cost per day per offender would be used which is \$106.96 or an annual cost of \$39,040. This includes all items in the marginal cost calculation plus fringe, personal service, utilities, etc.

DOC's cost of probation or parole is determined by the number of P&P Officer II positions that are needed to cover its caseload. The DOC average district caseload across the state is 51 offender cases per officer. An increase/decrease of 51 cases would result in a cost/cost avoidance equal to the salary, fringe, and equipment and expenses of one P&P Officer II. Increases/decreases smaller than 51 offender cases are assumed to be absorbable.

In instances where the proposed legislation would only affect a specific caseload, such as sex offenders, the DOC will use the average caseload figure for that specific type of offender to calculate cost increases/decreases.

* If this impact statement has changed from statements submitted in previous years, it could be due to an increase/decrease in the number of offenders, a change in the cost per day for institutional offenders, and/or an increase in staff salaries.

Oversight assumes the effective date for these provisions is July 1, 2027. Therefore, Oversight will present the fiscal impact of this proposal as provided by DOC beginning in FY28.

In response to similar legislation, SCS for SB 928 (2026), officials from the **Office of the State Public Defender (SPD)** stated per the National Public Defense Workload Study, the new charges contemplated by §§544.667, 565.260, 565.400 and 565.405 would each take approximately twenty-two hours of SPD work for reasonably effective representation. If one hundred cases were filed under these sections in a fiscal year, representation would result in a need for an additional attorney. Because the number of cases that will be filed under these statutes is unknown, the exact additional number of attorneys necessary is unknown. Each case would also result in unknown increased costs in the need for core staff, travel and litigation expenses. However, if the charges were classified as class D misdemeanors, then no jail time would be authorized, and the cases would not qualify for SPD representation.

In addition, per the National Public Defense Workload Study, the new charges contemplated by §§573.570 and 573.575 would each take approximately thirty-five hours of SPD work for reasonably effective representation. If one hundred cases were filed under these sections in a fiscal year, representation would result in a need for an additional one to two attorneys. Because the number of cases that will be filed is unknown, the exact additional number of attorneys necessary is unknown. Each case would also result in unknown increased costs in the need for core staff, travel, and litigation expenses.

Oversight assumes this proposal will create a minimal number of new cases and that the SPD can absorb the additional caseload required by this proposal with current staff and resources. Therefore, Oversight will reflect no fiscal impact to the SPD for fiscal note purposes. However, if multiple bills pass which require additional staffing and duties, the SPD may request funding through the appropriation process.

In response to similar legislation, SCS for SB 928 (2026), officials from the **Department of Natural Resources, Missouri Department of Transportation, Kansas City Police**

Department and **St. Louis County Police Department** 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.

Responses Regarding the Legislation as a Whole as Amended

Officials from the **Department of Commerce and Insurance, Department of Mental Health, Department of Labor and Industrial Relations, Department of Public Safety – Director’s Office** and **Missouri Highway Patrol, Department of Social Services, Missouri Department of Conservation, Phelps County Sheriff, and Branson Police Department** 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, hospitals, county prosecutors and other local law enforcement agencies were requested to respond to this proposed legislation but did not. Upon the receipt of additional responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval to publish a new fiscal note. A general listing of political subdivisions included in our database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029	Fully Implemented (FY 2034)
GENERAL REVENUE				
<u>Cost – DHSS (\$192.990) p.</u>				
Personal service	(\$74,733)	(\$91,474)	(\$93,303)	(\$100,995)
Fringe benefits	(\$43,671)	(\$53,127)	(\$53,862)	(\$58,303)
Equipment and expense	(\$22,324)	(\$8,879)	(\$9,056)	(\$14,870)
<u>Total Costs – DHSS</u>	<u>(\$140,728)</u>	<u>(\$153,480)</u>	<u>(\$156,221)</u>	<u>(\$174,168)</u>
FTE Change – DHSS	1 FTE	1 FTE	1 FTE	1 FTE
<u>Cost – DHSS (\$192.990) Board member travel and stipend p.</u>	(\$174,614)	(\$132,580)	(\$132,580)	(\$132,580)
<u>Cost – DOC (§§565.405, 573.570, and 573.575) p.</u>				
Personal service	\$0	\$0	(\$52,554)	(\$109,374)
Fringe benefits	\$0	\$0	(\$37,802)	(\$78,672)
Equipment and expense	\$0	\$0	(\$12,072)	(\$17,532)
<u>Total Costs - DOC</u>	<u>\$0</u>	<u>\$0</u>	<u>(\$102,428)</u>	<u>(\$205,578)</u>
FTE Change - DOC	0 FTE	0 FTE	1 FTE	2 FTE

<u>FISCAL IMPACT – State Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029	Fully Implemented (FY 2034)
<u>Cost – DOC (§§565.405, 573.570, and 573.575) Increase in incarceration, probation and parole costs p.</u>	\$0	(\$148,307 to <u>Unknown</u>)	(\$363,055 to <u>Unknown</u>)	(\$638,842 to <u>Unknown</u>)
ESTIMATED NET EFFECT ON GENERAL REVENUE	(\$315,342 to <u>Unknown</u>)	(\$434,367 to <u>Unknown</u>)	(\$754,284 to <u>Unknown</u>)	(\$1,151,168 to <u>Unknown</u>)
Estimated Net FTE Effect on General Revenue	1 FTE	1 FTE	2 FTE	3 FTE

<u>FISCAL IMPACT – Local Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029	Fully Implemented (FY 2034)
	\$0	\$0	\$0	\$0

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

This act modifies several provisions relating to vulnerable persons.

ASSISTANCE FROM THE ATTORNEY GENERAL (Section 27.117)

Under this act, a prosecuting attorney may request assistance from the Attorney General for the prosecution of the certain sexual offenses.

"BORN-ALIVE ABORTION SURVIVORS PROTECTION ACT (Section 188.035)

This act creates the "Born-Alive Abortion Survivors Protection Act". Under this act, a child born alive during or after an abortion or attempted abortion shall have the same rights, privileges, and immunities as any other person, citizen, and resident of Missouri, including any other live-born child.

Any licensed, registered, or certified health care provider present in the provider's professional capacity at the time a child is born alive during or after an abortion or attempted abortion shall exercise the same degree of professional skill, care, and diligence to preserve the life, health, and comfort of the child as a reasonably diligent and conscientious provider would render to any other child born alive at the same gestational age.

Any person who knowingly performs or attempts to perform an overt act that kills a child born alive shall be guilty of first-degree murder.

A person shall have the right to bring a cause of action for wrongful death or improper health care, as described in this act.

PREGNANCY-ASSOCIATED MORTALITY REVIEW BOARD (Section 192.990)

This act modifies the "Pregnancy-Associated Mortality Review Board" within the Department of Health and Senior Services. Under this act, board membership shall include at least one member from each congressional district with demographically diverse membership. Board members are increased from no more than 18 members to no more than 22 members.

Additionally, the board shall, in its study and review of maternal deaths, consider the level and timing of prenatal and postnatal care, the presence or absence of maternity care deserts, approaches taken in this state and other states to reduce or eliminate racial inequities in maternal deaths, and the adequacy of data collected by the board. Data reported by the board shall be disaggregated by race, ethnicity, language, nationality, age, zip code, and level and timing of prenatal and postnatal care.

RELEASE FROM JAIL (Section 544.667)

Currently, a person can be released from jail upon recognizance or bond. This act provides that a person that has been released under such circumstances that fails to comply with the conditions of such release that imposes no contact with the victim shall be guilty of a class A misdemeanor and shall forfeit any security that was pledged for their release.

CRIMINAL OFFENSES (Sections 455.050, 565.002, 565.050-565.056, 565.072-565.074, 565.090-565.091, 565.225-565.227, 565.400-565.405, 573.570, 573.575, and Section C)

This act modifies the offenses of assault in the first, second, third, and fourth degrees and the offenses of domestic violence in the first, second, third, and fourth degrees by removing the defined terms of "serious physical injury" and "physical injury" and providing for the following harms:

- Great bodily harm: Bodily injury which creates a high probability of death, or which causes serious permanent or protracted loss or impairment of function of any bodily member or organ, or other serious bodily harm;
- Substantial bodily harm: Bodily harm which involves a temporary but substantial disfigurement, or which causes temporary but substantial loss or impairment of the function of any bodily member or organ, or which causes a fracture of any bodily member; and

- Bodily harm: Physical pain or injury, illness, or any impairment of physical condition.

Under current law, the first offense of harassment in the first degree is a class E felony. This act provides that a second or subsequent conviction of harassment in the first degree shall be a class D felony where the individual has previously been found guilty of harassment in the first or second degree. Currently, a first offense of harassment in the second degree is a class A misdemeanor. Under this act, provisions relating to a second or subsequent conviction of harassment in the second degree are modified to include a conviction of harassment in the first degree as a previous conviction in which case it is a class E felony.

This act modifies the offense of stalking in the first degree by repealing the elements of such offense and providing that a person commits the offense of stalking in the first degree when the person knowingly, through a course of conduct that is directed at another person or through technological abuse, as defined in the act, engages in conduct that would cause a reasonable person under similar circumstances to:

- Fear death or bodily injury, as defined in this act;
- Fear that an offense will be committed against a member of the person's family, household members, or an individual with whom the person has a dating relationship;
- Fear that an offense will be committed against the person's property; or
- Feel harassed, terrified, or intimidated.

This act modifies the offense of stalking in the second degree by repealing the elements of such offense and providing that a person commits the offense of stalking in the second degree when the person knowingly, through a course of conduct that is directed at another person or through technological abuse, as defined in the act, engages in conduct that would cause a reasonable person under similar circumstances to feel harassed, terrified, or intimidated.

This act creates the offense of cyberharassment. A person commits this offense if he or she purposely or knowingly engages in a threatening, aggressive, or otherwise fear-inducing, course of conduct by using digital technology, internet service providers, electronic service providers or other electronic communications and devices cause reasonable fear, alarm, anxiety, undo stress, or terror to others by repeated contact with no legitimate purpose. This offense shall be a class B misdemeanor upon a first offense and a class A misdemeanor for second or subsequent offenses.

A person commits the offense of cyberstalking if such person purposely or knowingly engages in a threatening, aggressive, or otherwise fear-inducing, course of conduct by using digital technology, internet service providers, electronic service providers or other electronic communications and devices to enhance the ability to intimidate, track, follow or cause reasonable fear, alarm, anxiety, undo stress, or terror to another person. A first offense shall be a class A misdemeanor and a second or subsequent offense shall be a class E felony.

This act creates the offense of disclosure of an intimate digital depiction. A person shall be guilty of such offense if he or she discloses or threatens to disclose an intimate digital depiction with the intent to harass or threaten another person.

A violation of such offense is a class D felony if the person discloses an intimate digital depiction and a class E felony if the person threatens to disclose an intimate digital depiction. Any second or subsequent violation of such offense is a class C felony. Additionally, it shall be a class C felony if the disclosure interferes with a government proceeding or causes violence.

This act creates the offense of sadistic online exploitation. A person commits this offense where he or she uses the internet to coerce a victim into committing certain acts. This offense shall be a class E felony.

Provisions of this act have an effective date of July 1, 2027.

This act has a non-severability provision for the act.

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

SOURCES OF INFORMATION

Attorney General's Office
Department of Health and Senior Services
Department of Labor and Industrial Relations
Department of Mental Health
Department of Natural Resources
Department of Corrections
Department of Public Safety –
 Director's Office
 Missouri Highway Patrol
Department of Social Services
Missouri Department of Conservation
Missouri Department of Transportation
Office of the State Courts Administrator
Office of the State Public Defender
Phelps County Sheriff

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Branson Police Department
Kansas City Police Department
St. Louis County Police Department



Julie Morff
Director
May 6, 2026



Jessica Harris
Assistant Director
May 6, 2026