

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5940S.03P
Bill No.: Perfected SS for SB 1421
Subject: Crimes and Punishment; Prisons and Jails; Public Buildings
Type: Original
Date: March 25, 2026

Bill Summary: This proposal modifies provisions relating to the unlawful use of unmanned aircraft in certain areas.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND

FUND AFFECTED	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2031)
General Revenue*	(\$668,530 to Unknown)	(\$570,090 to Unknown)	(\$615,133 to Unknown)	(\$661,892 to Unknown)
Total Estimated Net Effect on General Revenue	(\$668,530 to Unknown)	(\$570,090 to Unknown)	(\$615,133 to Unknown)	(\$661,892 to Unknown)

*DOC notes that current capacity will be met by July 2029 (FY 2030) 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 2031)
Total Estimated Net Effect on <u>Other</u> 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 2031)
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 2031)
General Revenue	2 FTE	2 FTE	2 FTE	2 FTE
Total Estimated Net Effect on FTE	2 FTE	2 FTE	2 FTE	2 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 2031)
Local Government	\$0	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§§577.800, 589.900 & 589.902 – Interception of Unmanned Aircraft Systems

Officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** state this legislation involves combatting the unlawful use of unmanned aircraft systems that pose a threat to the safety and security of communities and institutions in the State of Missouri. The Patrol would need to purchase unmanned aircraft system (UAS) detection, identifying, monitoring, tracking, and mitigation (DIMIT-M) technologies to support public safety officials in the protection of the public and critical infrastructure from nefarious or unlawful use of UAS. The Patrol's primary objective is to ensure the MHP has the resources, training, and operational capacity to detect, track, identify, and—where authorized—mitigate UAS threats. The Patrol's goals are to strengthen their preparedness, protect critical infrastructure, mass gatherings, and sensitive government operations from UAS threats and support the deployment of fixed or portable systems for UAS detection, tracking, identification, and—where authorized—mitigation, consistent with applicable laws. Two (2) additional FTE and all associated equipment would be needed.

Oversight notes, in response to the previous version, MHP noted a cost for Counter Drone Equipment estimated at \$1.7M in FY27 with a continued cost of approximately \$190,000 per year.

Upon further inquiry, **MHP** stated that the Patrol recently received a grant to cover the associated costs of the counter drone equipment. The Patrol will still require the costs of required FTE and all assigned personal equipment.

Oversight does not have any information contrary. Therefore, Oversight will reflect the impact as provided by MHP for fiscal note purposes.

Officials from the **Department of Corrections (DOC)** state section 577.800 modifies provisions relating to law enforcement interception of unmanned aircraft systems.

Section 577.800 expands the offense of unlawful use of unmanned aircraft over an open-air facility to include a critical infrastructure facility. The penalty is an infraction, unless it is used to deliver a weapon, in which case it is a class B felony, or to deliver a controlled substance, in which case it is a class D 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 D felony and a new class B felony.

For each new nonviolent class D felony, the department estimates three people could be sentenced to prison and five to probation. The average sentence for a nonviolent class D felony offense is 5 years, 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 16 additional offenders on field supervision by FY 2029.

Given the seriousness of class B felony offenses and that the introduction of a completely new class B felony offense is a rare event, the department assumes the admission of one person per year to prison following the passage of the legislative proposal.

Offenders committed to prison with a class B felony as their most serious sentence, have an average sentence length of 9.0 years and serve on average, 3.4 years in prison prior to first release. The department assumes one third of the remaining sentence length will be served in prison as a parole return, and the rest of the sentence will be served on supervision in the community.

The cumulative impact on the department is estimated to be 5 additional offenders in prison and 0 additional offenders on field supervision by FY 2031.

Combined Cumulative Estimated Impact

The combined cumulative estimated impact on the department is 13 additional offenders in prison and 22 additional offenders on field supervision by FY 2031.

	# to prison	Cost per year	Total Costs for prison	Change in & parole officers	Total cost for probation and parole	# to probation & parole	Grand Total - Prison and Probation (includes 2% inflation)
Year 1	4	(\$11,123)	(\$44,492)	0	\$0	5	(\$44,492)
Year 2	8	(\$11,123)	(\$90,764)	0	\$0	10	(\$90,764)
Year 3	11	(\$11,123)	(\$127,296)	0	\$0	16	(\$127,296)
Year 4	12	(\$11,123)	(\$141,646)	0	\$0	19	(\$141,646)
Year 5	13	(\$11,123)	(\$156,519)	0	\$0	22	(\$156,519)
Year 6	13	(\$11,123)	(\$159,649)	0	\$0	23	(\$159,649)
Year 7	13	(\$11,123)	(\$162,842)	0	\$0	24	(\$162,842)
Year 8	13	(\$11,123)	(\$166,099)	0	\$0	25	(\$166,099)
Year 9	13	(\$11,123)	(\$169,421)	0	\$0	26	(\$169,421)
Year 10	13	(\$11,123)	(\$172,809)	0	\$0	26	(\$172,809)

The department 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 the 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 department 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 department'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 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, HB 2587 (2026), 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.

Officials from the **Missouri Department of Transportation, Department of Mental Health** and **Kansas City Police Department** each assume the proposal will have no fiscal impact on their respective organizations.

In response to a previous version, officials from the **Office of the State Courts Administrator, Office of the State Public Defender, Phelps County Sheriff's Department, St. Louis County Police Department, Branson Police Department** and **Blue Springs 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.

In response to similar legislation, HB 2587 (2026), officials from the **Missouri Office of Prosecution Services** assumed the proposal will have no measurable fiscal impact.

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 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.

This proposal has an emergency clause.

<u>FISCAL IMPACT – State Government</u>	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2031)
GENERAL REVENUE				
Cost – DPS-MHP (§§217.850, 577.800, and 632.575) p.4				
Personal Service	(\$221,808)	(\$226,244)	(\$230,769)	(\$240,092)
Fringe Benefits	(\$195,391)	(\$199,298)	(\$203,284)	(\$211,497)
Exp. & Equip.	(\$206,839)	(\$53,784)	(\$53,784)	(\$53,784)
Total Costs – MHP	(\$624,038)	(\$479,326)	(\$487,837)	(\$505,373)
FTE Change – MHP	2 FTE	2 FTE	2 FTE	2 FTE
Cost – DOC (§577.800) Increased incarceration costs p.4-6	(\$44,492 to Unknown)	(\$90,764 to Unknown)	(\$127,296 to Unknown)	(\$156,519 to Unknown)
ESTIMATED NET EFFECT ON GENERAL REVENUE	(\$668,530 to Unknown)	(\$570,090 to Unknown)	(\$615,133 to Unknown)	(\$661,892 to Unknown)
Estimated Net FTE Change on General Revenue	2 FTE	2 FTE	2 FTE	2 FTE

<u>FISCAL IMPACT – Local Government</u>	FY 2027	FY 2028	FY 2029	Fully Implemented (FY 2031)
	<u>\$0</u>	<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

This act modifies provisions relating to the unlawful use of unmanned aircraft in certain areas. Under current law, it is a criminal offense to operate an unmanned aircraft over an open-air facility. This act modifies this offense by also making it unlawful to operate an unmanned

aircraft within the boundary of any critical infrastructure facility, as defined in the act, or within a vertical distance of four hundred feet from the ground and within the boundary of such facility.

The definition of "open-air facility", as used in this provision, is modified by decreasing the requisite capacity from 5,000 or more people to 500 or more people.

Under current law, any delivery of a gun, knife, weapon, or other article by an unmanned aircraft over an open-air facility shall be punished as a class B felony. This act adds delivery of any explosive device or material, and adds critical infrastructure as a location where such deliveries are prohibited.

Law enforcement officers are authorized to take necessary mitigation measures, as described in the act, against an imminent threat posed by an unmanned aircraft system to public safety. This act provides that any unmanned aircraft seized pursuant to this act shall be subject to forfeiture under the criminal activity forfeiture act.

This act contains an emergency clause.

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

SOURCES OF INFORMATION

Attorney General's Office
Department of Corrections
Department of Public Safety - Missouri Highway Patrol
Missouri Department of Transportation
Office of the State Public Defender
Missouri Office of Prosecution Services
Department of Mental Health
City of Kansas City
Phelps County Sheriff's Department
Kansas City Police Department
St. Louis County Police Department
Blue Springs Police Department
Branson Police Department



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