

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4282S.01I  
 Bill No.: SB 746  
 Subject: Probation and Parole; Prisons and Jails; Department of Corrections; Crimes and Punishment; Children and Minors  
 Type: Original  
 Date: December 27, 2023

Bill Summary: This proposal modifies provisions relating to eligibility for parole.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
General Revenue*	(Unknown)	(Unknown)	(Unknown)
<b>Total Estimated Net Effect on General Revenue</b>	<b>(Unknown)</b>	<b>(Unknown)</b>	<b>(Unknown)</b>

\*Oversight assumes the fiscal impact could reach the \$250,000 threshold. Oversight notes an additional 26 prisoners would be required to remain in prison at the estimated incarceration rate of \$9,689 per year per prisoner to reach the \$250,000 threshold. Oversight assumes possibly more than that number could be retained in prison because of this bill by a future date.

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
<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.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</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>			
<b>FUND AFFECTED</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**FISCAL ANALYSIS**

**ASSUMPTION**

**§217.690 – Eligibility for parole**

Officials from the **Department of Corrections (DOC)** state this proposal modifies provisions relating to eligibility for parole. It adds language that excludes offenders with a conviction of murder in the second degree for an offense committed when under the age of 18 years from consideration for parole after serving fifteen years of incarceration. The intent of the bill is to require offenders with a conviction of murder in the second degree for an offense committed when under the age of 18 years to serve a longer period of incarceration prior to consideration for parole.

There are currently 183 offenders in prison who are both: 1) incarcerated only on a sentence, or a combination of sentences, for offenses committed when they were less than 18 years, and 2) serving a sentence for a conviction of murder in the second degree. Of those 183 offenders, 12 are excluded from consideration for having a prior release from prison. Of the remaining 171 offenders, 48 have been incarcerated for 15 years or more. It is unknown what fiscal impact this will have, as there is no way to determine how many of these individuals would have been denied parole by the board in any case, and therefore how many this change would truly be affecting.

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

Officials from the **Missouri Department of Transportation** and **Office of the State Courts Administrator** 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.

<u>FISCAL IMPACT – State Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
<b>GENERAL REVENUE</b>			
<u>Costs</u> – DOC (§217.690) Change in parole eligibility	(Unknown)	(Unknown)	(Unknown)
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b>(Unknown)</b>	<b>(Unknown)</b>	<b>(Unknown)</b>

<u>FISCAL IMPACT – Local Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

Under current law, when a person under the age of 18 is sentenced to a term or terms of imprisonment amounting to 15 years or more, that person is eligible for parole after serving 15 years, unless such person was found guilty of murder in the first degree.

This act adds that such a person will also be ineligible for parole if he or she was found guilty of murder in the second degree when such person knowingly causes the death of another person.

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 Corrections  
Missouri Department of Transportation  
Office of the State Courts Administrator



Julie Morff  
Director  
December 27, 2023



Ross Strobe  
Assistant Director  
December 27, 2023