



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2023 Biennium

Bill # HB0693

Title: Implement provisions of HB2 - Section D-
Judiciary, Law Enforcement and Justice

Primary Sponsor: Mercer, Bill

Status: As Introduced

- Significant Local Gov Impact
 Needs to be included in HB 2
 Technical Concerns
 Included in the Executive Budget
 Significant Long-Term Impacts
 Dedicated Revenue Form Attached

FISCAL SUMMARY

	<u>FY 2022 Difference</u>	<u>FY 2023 Difference</u>	<u>FY 2024 Difference</u>	<u>FY 2025 Difference</u>
Expenditures:				
General Fund	\$0	\$0	\$0	\$0
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

Description of fiscal impact: This bill has no fiscal impact to the state. HB 693 imposes a significant number of reporting requirements upon the Department of Corrections, Justice, Judicial, Office of Public Defender.

FISCAL ANALYSIS

Assumptions:

- Section 1 requires the Department of Corrections to report on utilization of drug treatment beds to be at 75% capacity, rent vouchers, options for vocational programming options at Montana Women's Prison, number of days defendants remain in a county detention, number of crimes or violations.
- Section 2 requires the Office of Public Defender to report on accurate and complete time entries, 2020 audit finds, reduction of work not required by statute, whether funding from Title IV-E of the Social Security Act provided funding for representation for children and parents of abuse, identify data needs to performance based measurements, cases for waiver assessment, time spent on defendants in treatment court, and time spent on capital cases.
- Section 3 requires the Department of Justice to report on reports pursuant to 41-3-210(3), MCA, regarding the number of human trafficking investigations, number of referrals to ICAC funded programs, and the backlog of sexual assault kits.
- Section 4 regards the Judicial Branch to investigate charging fees for service.
- Section 5 requires an evaluation of recidivist between the Department of Corrections, Department of Justice, the Board of Crime Control, and the Judicial branch.

6. Section 6 adds an additional judge in the 18th Judicial District which is already funded in HB 2.

Technical Notes:

1. Section 1, number five, refers to individuals whose sentences were revoked between July 1, 2021 and June 30, 2022 for violations of terms and conditions of a suspended or deferred sentence but excluding a violation that (i) is a compliance violation or (ii) is not a compliance violation as defined in 46-18-203, MCA. Since these two types are the only types of violations, this language seems to have conflicting requirements. This would result in not reporting on any violations.



Sponsor's Initials

4/6/21
Date



Budget Director's Initials

4-1-21

Date