



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2027 Biennium

Bill#/Title: **SB0464.01: Revise laws related to appointment of special advocates in abuse and neglect cases**

Primary Sponsor: Dennis Lenz Status: As Introduced

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

FISCAL SUMMARY

	<u>FY 2026 Difference</u>	<u>FY 2027 Difference</u>	<u>FY 2028 Difference</u>	<u>FY 2029 Difference</u>
Expenditures				
General Fund (01)	\$137,888	\$137,888	\$139,956	\$142,056
State Special Revenue (02)	(\$137,888)	(\$137,888)	(\$139,956)	(\$142,056)
Revenues				
General Fund (01)	\$0	\$0	\$0	\$0
State Special Revenue (02)	\$0	\$0	\$0	\$0
Net Impact	<u>(\$137,888)</u>	<u>(\$137,888)</u>	<u>(\$139,956)</u>	<u>(\$142,056)</u>
General Fund Balance				

Description of fiscal impact

SB 464 revises laws related to the appointment of special advocates in child abuse and neglect proceedings. There will be a funding switch of certain expenditures from state special revenue to general fund.

FISCAL ANALYSIS

Assumptions

Judiciary

1. SB 464, Section 1, replaces "court appointed special advocate" with "special advocate" in abuse and neglect proceedings. Special advocates will require specific training and cannot be compensated for the duties performed.
2. Section 1 (9) allows for a judge to appoint an attorney or other qualified person to perform special advocate duties at public expense if a special advocate is not available.
3. The Judicial Branch assumes that the judge will have to appoint an attorney or other qualified person at public expense in most cases due to the minimum qualifications and training requirements established in section 1. As such, the Judicial Branch does not estimate a decrease in expenditures related to this bill.
4. Under current statute Judicial Branch pays guardians ad litem (GAL) in abuse and neglect cases from funding established in 3-1-707, MCA, as well as with general fund dollars appropriated in HB 2.
5. Based on FY 2024 actual expenditure data, total GAL expenditures average \$379,488 annually. Of the total GAL costs, \$137,888 has been paid for from the funding established in 3-1-707, MCA.
6. The Judicial Branch will need additional general fund of \$137,888 in each FY 2026 and FY 2027 to adequately cover expenditures related to the appointment of special advocates at public expense. There will

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be an equal and offsetting reduction in expenditures recorded in the state special revenue fund established with 3-1-707, MCA.

7. A 1.5% inflation factor is applied to FY 2028 and FY 2029.

Fiscal Analysis Table

Judiciary				
	FY 2026 Difference	FY 2027 Difference	FY 2028 Difference	FY 2029 Difference
<u>Fiscal Impact</u>				
<u>Expenditures</u>				
<u>Funding of Expenditures</u>				
General Fund (01)	\$137,888	\$137,888	\$139,956	\$142,056
State Special Revenue (02)	(\$137,888)	(\$137,888)	(\$139,956)	(\$142,056)
TOTAL Funding of Expenditures	\$0	\$0	\$0	\$0
<u>Revenues</u>				
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures)</u>				
General Fund (01)	(\$137,888)	(\$137,888)	(\$139,956)	(\$142,056)
State Special Revenue (02)	\$137,888	\$137,888	\$139,956	\$142,056

NO SPONSOR SIGNATURE_____
Sponsor's Initials_____
Date

3/25

_____
Budget Director's Initials

3/24/2025

Date