



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2027 Biennium

Bill#/Title: HB0940.01: Prohibit overnight camping on state highway right-of-way

Primary Sponsor: Anthony Nicastro 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>
<b>Expenditures</b>				
State Special Revenue (02)	\$15,000	\$0	\$0	\$0
<b>Revenues</b>				
State Special Revenue (02)	\$0	\$0	\$0	\$0
<b>Net Impact</b>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<b>General Fund Balance</b>				

### Description of fiscal impact

HB 940 prohibits overnight camping and storage of personal property on state highway right-of-way. After the 72-hour notification to remove the campsite and all personal property, the Montana Department of Transportation (MDT) and law enforcement will post notice on the highway right-of-way, remove the campsite, and dispose of all personal property within 120 hours.

### FISCAL ANALYSIS

#### Assumptions

#### Department of Transportation

- Over the past four years, MDT has tracked the costs associated with right-of-way encampment cleanups and cleaned up approximately 48 separate sites.
- The total cost, across the four years was \$31,964, which results in an average cleanup cost of \$665.92 per site.
- MDT is currently monitoring 20 active encampments.
- Based on the historical average cleanup cost per site (\$665.92), the estimated total cost for these encampment cleanups is approximately \$13,318.40 ( $665.92 \times 20 = 13,318.40$ ).
- Camp cleanup will be completed by existing MDT staff.
- MDT will develop and print notices for the removal of campsites and personal property located within MDT right-of-way. The estimated cost for designing and printing notices for the 20 active encampments is estimated at \$554.
- Additionally, MDT will post no camping signs at the 20 active encampments for a total cost of \$1,127.60 ( $\$56.38 \text{ per sign} \times 20 = \$1,127.60$ ).
- The total cost to clean up the 20 sites, post no camping signs, and print and post notices for removal of campsites is \$15,000 ( $\$13,318.40 + \$1,127.60 + \$554$ ).

9. The number of fines that will be collected is unknown at this time. The number of citations issued would be completed by other agencies.
10. It is assumed that additional encampment cleanups may occur beyond FY 2026, but the number, location, and cost of these future cleanups are currently unknown and cannot be accurately estimated at this time.

**Fiscal Analysis Table**

**Department of Transportation**

	<b><u>FY 2026</u></b> <b><u>Difference</u></b>	<b><u>FY 2027</u></b> <b><u>Difference</u></b>	<b><u>FY 2028</u></b> <b><u>Difference</u></b>	<b><u>FY 2029</u></b> <b><u>Difference</u></b>
<b><u>Fiscal Impact</u></b>				
<b><u>Expenditures</u></b>				
Personal Services	\$11,145	\$0	\$0	\$0
Operating Expenses	\$3,855	\$0	\$0	\$0
<b>TOTAL Expenditures</b>	<b>\$15,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b><u>Funding of Expenditures</u></b>				
State Special Revenue (02)	\$15,000	\$0	\$0	\$0
<b>TOTAL Funding of Expenditures</b>	<b>\$15,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b><u>Revenues</u></b>				
<b><u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures)</u></b>				
State Special Revenue (02)	(\$15,000)	\$0	\$0	\$0

**NOT SIGNED BY SPONSOR** 4/5  
 Sponsor's Initials

  
 Budget Director's Initials

4/4/2025  
 Date