



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2027 Biennium

Bill#/Title: **HB0490.01: Revise civil liability laws**

Primary Sponsor: **Amy Regier**

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)	\$0	\$0	\$0	\$0
Revenues				
General Fund (01)	\$0	\$0	\$0	\$0
Net Impact	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
General Fund Balance	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

Description of fiscal impact

HB 490 protects electric facilities providers from strict liability and uncertain common law standards of care in the event of an unintentionally or negligently caused wildfire and provides a standard of care for electric facility providers that choose to affirmatively undertake wildfire mitigation efforts.

FISCAL ANALYSIS

Assumptions

Public Service Regulation (PSC)

1. HB 490 allows the PSC to appoint a technical master to determine whether the wildfire mitigation plan contains the required components.
2. The Commission used a technical master in Docket 2023.04.033 to resolve a dispute between a utility and a customer regarding the reasonableness of a specific tariff provision governing the interconnection of a small generator to the utility's system. The selected technical master charged a fee of \$215 per hour and estimated up to 200 hours of work.
3. It would be reasonable to assume that the scope of technical analyses related to a utility's wildfire mitigation plan will be much broader, compared to the narrow engineering issue in Docket 2023.04.033. The determination of whether the plan satisfies the statutory requirements may require a range of subject matter expertise. Additionally, the statutory timeframe for a Commission decision is just 3.5 months, during which time the Commission will need to select the technical master, receive and review the technical master's findings, and render its own written decision.
4. Increasing the hourly rate and the number of hours of work associated with the last technical master by 50% each to account for the greater complexity and limited timeframe would result in a total cost of about

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(continued)

\$100,000 for a single wildfire mitigation plan. This \$100,000 amount then is a minimum floor for a total cost.

5. While there would be increased effort internally on agency staff, the dollar amount of such increased effort is difficult to quantify.

Secretary of State's Office

6. This bill requires the Office of the Secretary of State to notify each federally recognized tribal government in Montana. While there may be a minimal fiscal impact, the Office of the Secretary of State can cover the costs associated with implementing this bill within its existing operating budget.



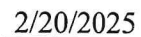
Sponsor's Initials



Date



Budget Director's Initials



Date