



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2027 Biennium

Bill#/Title: HB0743.03 (001): Create reporting requirements for elder exploitation

Primary Sponsor: Bill Mercer Status: As Amended in Senate Committee

- ☐ 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</u> <u>Difference</u>	<u>FY 2027</u> <u>Difference</u>	<u>FY 2028</u> <u>Difference</u>	<u>FY 2029</u> <u>Difference</u>
Expenditures				
Revenues				
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 743 establishes reporting requirements related to allegations of exploitation of an incapacitated person or vulnerable adult by each County Attorney and the Department of Public Health and Human Services to the Attorney General. County Attorneys will be required to submit reports to the Attorney General. The Attorney General must submit reporting to the Legislature.

### FISCAL ANALYSIS

#### Assumptions

##### Department of Public Health and Human Services (DPHHS)

1. The DPHHS's Adult Protective Services currently refers all cases with suspected violations of 45-6-333 to County Attorneys or the respective law enforcement jurisdiction for potential prosecution
2. The amendments to the bill result in an a no fiscal impact for the DPHHS.

##### Department of Justice (DOJ)

3. The DOJ's Division of Criminal Investigation (DCI) has an Elder Justice Unit that receives referrals from DPHHS's Adult Protective Services. DCI interprets this bill language as not applying to the DCI Elder Justice Unit and the responsibility falling to DPHHS Adult Protective Services. Therefore, there is no fiscal impact to DCI unless the Elder Justice Unit cases become reportable.

#### Legislative Branch




4. Section 1. (4) of HB 743 requires the attorney general to report to the law and justice interim committee each year by September 1 in accordance with 5-11-210, MCA, which is part of normal duties of the law and justice interim committee.
5. Section 2. (1) of HB 743 requires that by September 15 of each even-numbered year, the Legislative Branch shall report to the attorney general and the law and justice interim committee in accordance with 5-11-210, MCA, which is part of normal duties of the law and justice interim committee.
6. The additional duties added to the Legislative Branch in HB 743 will be absorbed within existing budget.

7. It is unknown how many bills are seeking to add to the duties of the Legislative Branch. The fiscal note of each bill is prepared based on the effect of each individual bill. However, when viewed as a package, the cumulative effect of passage of more than one bill would require additional analysis and may require additional resources for staffing and information technology support.

**Fiscal Analysis Table**

	<u>FY 2026</u> <u>Difference</u>	<u>FY 2027</u> <u>Difference</u>	<u>FY 2028</u> <u>Difference</u>	<u>FY 2029</u> <u>Difference</u>
<u>Fiscal Impact</u>				
<u>Expenditures</u>				
<u>Funding of Expenditures</u>				
<u>Revenues</u>				
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures)</u>				
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

**Technical Concerns**

 _____ Sponsor's Initials	 _____ Date	 _____ Budget Director's Initials	4/10/2025 _____ Date
---	--	---	----------------------------