



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2027 Biennium

Bill#/Title: **SB0038: Generally revise laws relating to attorney fees and prevailing parties for veto overrides**

Primary Sponsor: Greg Hertz 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>				
General Fund (01)	\$0	\$0	\$0	\$0
<b>Revenues</b>				
General Fund (01)	\$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>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

### Description of fiscal impact

SB 38 revises the law to prohibit attorney fee awards against a government entity related to legislative veto overrides. There is no fiscal impact to the state.

### FISCAL ANALYSIS

#### Assumptions

- While the state may avoid paying or receiving awarded attorneys fees in some future court case, dependent on the outcome, such avoided costs or revenue cannot be determined.

#### Judicial Branch

- SB 38 establishes when a court may not award fees but does not necessarily create additional caseload or workload for the Montana court system. There is no fiscal impact to the Judicial Branch.

NO SPONSOR SIGNATURE

Sponsor's Initials

1/9/25  
Date

Budget Director's Initials

1/8/2025  
Date