



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2027 Biennium

Bill#/Title: **HB0289: Revise crime laws**

Primary Sponsor: **Courtenay Sprunger**

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 289 revises crime laws to provide that the crime of endangering the welfare of children includes exposing a child to fentanyl, heroin, or cocaine.

FISCAL ANALYSIS

Assumptions

Judicial Branch

1. A parent, guardian, or other person supervising the welfare of a child less than 18 years old commits the offense of endangering the welfare of children if the parent, guardian, or other person knowingly endangers the child's welfare by violating a duty of care, protection, or support.
2. If a person, whether or not the person is supervising the welfare of a child less than 18 years of age, commits the offense of endangering the welfare of children if the person, in the residence of a child, in a building, structure, conveyance, or outdoor location where a child might reasonably be expected to be present, in a room offered to the public for overnight accommodation, or in any multiple-unit residential building, knowingly produces or manufactures methamphetamine or causes a child to be exposed to methamphetamine.
3. HB 289 amends 45-5-622 (3), MCA, to include fentanyl, heroin, or cocaine
4. HB 289 does not have a fiscal impact to Judicial Branch

Department of Justice (DoJ)

5. HB 289 will not impact the types of cases that the Department of Justice is involved in.
6. There could be a slight increase in revenue due to increased citations given but DOJ is unable to accurately determine the amount of a possible increase.

Department of Corrections

1. HB 289 adds fentanyl, heroin, cocaine (production) and fentanyl, heroin, cocaine and drug paraphernalia (exposure) to the definition of the offense in 45-5-622, MCA but the potential penalties remain the same.
2. The Department of Corrections (DoC) assumes that most offenders who would be convicted of this crime are currently being charged with Criminal Child Endangerment (45-5-628, MCA) or Criminal Endangerment (45-5-207, MCA).
3. The penalty for 45-5-628 and 45-5-207, MCA, is a prison term not to exceed 10 years, and the penalty created under the new statute is a maximum of 5 years.
4. Based on the above information, DoC assumes there will be no increase to incarceration as a result of this bill.



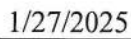
Sponsor's Initials



Date



Budget Director's Initials



Date