



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2027 Biennium

Bill#/Title: SB0425.01: Prohibit incarceration of certain inmates out of state

Primary Sponsor: Ellie Boldman 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</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 | | | | |
| General Fund (01) | \$85,192 | \$85,192 | \$86,470 | \$87,767 |
| Revenues | | | | |
| General Fund (01) | \$0 | \$0 | \$0 | \$0 |
| Net Impact | <u>(\$85,192)</u> | <u>(\$85,192)</u> | <u>(\$86,470)</u> | <u>(\$87,767)</u> |
| General Fund Balance | | | | |

Description of fiscal impact

SB 425 amends 53-30-106, MCA, prohibiting the Department of Corrections (DoC) from incarcerating an inmate out of state in certain situations: "Unless an inmate's parental rights have been terminated or the inmate's incarceration is due to conviction of a sexual offense, the department may not select an inmate for confinement in an institution out of state if the inmate has a child who is under 13 years of age and resides in Montana." The department will require additional staff to gather, track, and implement the requirements of this bill.

FISCAL ANALYSIS

Assumptions

Department of Corrections (DoC)

- SB 425 prohibits the DoC from selecting an inmate for out of state placement if the inmate has a child under the age of 13 that resides in Montana unless the inmate's parental rights have been terminated or the inmate's conviction is as a sexual offense.
- The department does not currently have a way to verify whether an inmate has children, the ages of those children, or whether the inmate has parental rights of the child.
- Additional staff time would be needed to screen offenders to determine if they meet this requirement.
- DoC assumes that it would take a minimum of 1.00 FTE. The fiscal impact in FY 2026 would be \$85,192 and in FY 2027 would be \$85,192.
- Assuming a 1.5% inflationary factor FY 2028 would be \$86,470 and FY 2029 would be \$87,767.

Fiscal Analysis Table

| Department of Corrections | | | | |
|--|------------------------------|------------------------------|------------------------------|------------------------------|
| | FY 2026 <u>Difference</u> | FY 2027 <u>Difference</u> | FY 2028 <u>Difference</u> | FY 2029 <u>Difference</u> |
| <u>Fiscal Impact</u> | | | | |
| FTE | 1.00 | 1.00 | 1.00 | 1.00 |
| TOTAL Fiscal Impact | 1.00 | 1.00 | 1.00 | 1.00 |
| <u>Expenditures</u> | | | | |
| Personal Services | \$85,192 | \$85,192 | \$86,470 | \$87,767 |
| TOTAL Expenditures | \$85,192 | \$85,192 | \$86,470 | \$87,767 |
| <u>Funding of Expenditures</u> | | | | |
| General Fund (01) | \$85,192 | \$85,192 | \$86,470 | \$87,767 |
| TOTAL Funding of Expenditures | \$85,192 | \$85,192 | \$86,470 | \$87,767 |
| <u>Revenues</u> | | | | |
| <u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures)</u> | | | | |
| General Fund (01) | (\$85,192) | (\$85,192) | (\$86,470) | (\$87,767) |

NO SPONSOR SIGNATURE

Sponsor's Initials

Date

3/3

Budget Director's Initials

3/1/2025

Date