



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2027 Biennium

Bill#/Title: HB0886.01: Provide for water division court, judges

Primary Sponsor: Ken Walsh 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>
<b>Expenditures</b>				
State Special Revenue (02)	\$0	\$0	\$0	\$0
<b>Revenues</b>				
State Special Revenue (02)	\$300	\$300	\$300	\$300
<b>Net Impact</b>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<b>General Fund Balance</b>				

#### Description of fiscal impact

HB 886 proposes changes to the water division court structure, process for appointment of judges, comment process and terms for appointment.

### FISCAL ANALYSIS

#### Assumptions

##### Judiciary

1. Section 10 of HB 886 establishes a fee not to exceed \$25 to be paid at the commencement of an action or a proceeding filed with the office of the water court division.
2. It is estimated there would be 10-12 new actions per year. 12 actions @ \$25 would amount to \$300 that would be deposited into an existing state special revenue account.
3. Section 12 states the water division court would consists of at least two and not more than 4 four water division judges appointed by the Governor. The Governor may stagger the terms of additional judges appointed to the water division court. It is assumed the court will operate with the two judges currently in place with each of them appointed to oversee two divisions until their terms are up.

##### Department of Natural Resources and Conservation

1. The phaseout of the Water Court as detailed in HB 886 does not alter the current operations of or cause a fiscal impact to the Department of Natural Resources and Conservation (DNRC).

##### Governor's Office

1. HB 886 changes related to the Governor appointing a water division judge or receiving comments will have no fiscal impact to the office.

### Fiscal Analysis Table

#### Judiciary

	<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>
<b><u>Fiscal Impact</u></b>				
<b><u>Expenditures</u></b>				
<b><u>Funding of Expenditures</u></b>				
<b><u>Revenues</u></b>				
State Special Revenue (02)	\$300	\$300	\$300	\$300
<b>TOTAL Revenues</b>	<b>\$300</b>	<b>\$300</b>	<b>\$300</b>	<b>\$300</b>
<b><u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures)</u></b>				
State Special Revenue (02)	\$300	\$300	\$300	\$300

  
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 Sponsor's Initials                      Date

  
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 Budget Director's Initials                      3/31/2025  
 Date