



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2027 Biennium

Bill#/Title: SB0493.02 (001): Establish the offense of trespass by unmanned aerial vehicle

Primary Sponsor: Greg Hertz

Status: As Amended in Senate

☐ 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 493, as amended, creates criminal trespass offense and penalties for unmanned aerial vehicles flown 200 feet or lower over property or residence without authorization of the property owner or resident. There is no fiscal impact as amended.

### FISCAL ANALYSIS

#### Assumptions

#### Department of Justice

1. The Montana Highway Patrol can operate drones for legitimate law enforcement purposes.
2. Violations of SB 493 would likely be outside the Highway Patrol jurisdiction.
3. The Prosecution Services Bureau does not typically handle misdemeanor cases, and any training associated with the new criminal offense would be minimal. No significant fiscal impact is anticipated.
4. The Appellate Services Bureau does not anticipate a significant fiscal impact for appeals under SB 493.

#### Department of Transportation

5. As amended SB 493, adds exemptions to the criminal trespass offense and penalties to those who are licensed with the Federal Aviation Administration (FAA), and operating the system for legitimate business purposes consistent with FAA regulations.
6. MDT will obtain the required authorization, if necessary, to fly unmanned aerial vehicles at 200 feet or lower over a property or residence.
7. As amended, MDT does not anticipate a fiscal impact or substantial change in operations as a result of SB 493.

**NO SPONSOR SIGNATURE**  
Sponsor's Initials \_\_\_\_\_ Date 3/24

  
Budget Director's Initials \_\_\_\_\_ Date 3/24/2025