



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2027 Biennium

Bill#/Title: **SB0340.01: Generally revise laws relating to challenges brought under MEPA**

Primary Sponsor: **Daniel Zolnikov**

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				
State Special Revenue (02)	\$960	\$0	\$0	\$0
Revenues				
State Special Revenue (02)	\$960	\$0	\$0	\$0
Net Impact	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
General Fund Balance				

Description of fiscal impact

SB 340 establishes a court fee for filing civil actions challenging the Department of Environmental Quality (DEQ) decisions under the Montana Environmental Policy Act (MEPA).

FISCAL ANALYSIS

Assumptions

Department of Environmental Quality

1. In FY 2023 and FY 2024, four legal challenges per year were filed against DEQ decisions under MEPA.
2. SB 340 would produce annual revenue of \$960, assuming four legal challenges per fiscal year will continue to be filed against DEQ MEPA decisions.
3. Revenue from the filing fee will be deposited into the environmental rehabilitation and response account for use by DEQ for the purposes outlined in 75-1-110, MCA.
4. DEQ will continue to complete environmental reviews under MEPA with existing staff, reprioritizing workload as necessary to meet statutory deadlines should an agency decision be remanded for reconsideration or supplemental review.

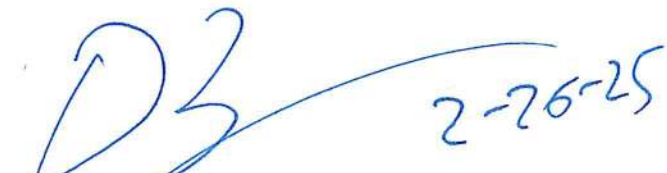
Department of Justice

5. SB 340 would add a fee for MEPA challenges and provide additional guidance to agencies on how to address MEPA challenges after a court decision.
6. The proposed revisions would not change how the Natural Resource Damage Program would recover damages for natural resource injuries or the associated restoration activities.
7. The proposed revisions would not impact how cases are prosecuted by the DOJ.

Fiscal Analysis Table

Department of Environmental Quality

	<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>
<u>Fiscal Impact</u>				
<u>Expenditures</u>				
Operating Expenses	\$960	\$0	\$0	\$0
TOTAL Expenditures	\$960	\$0	\$0	\$0
<u>Funding of Expenditures</u>				
State Special Revenue (02)	\$960	\$0	\$0	\$0
TOTAL Funding of Expenditures	\$960	\$0	\$0	\$0
<u>Revenues</u>				
State Special Revenue (02)	\$960	\$0	\$0	\$0
TOTAL Revenues	\$960	\$0	\$0	\$0
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures)</u>				
State Special Revenue (02)	\$0	\$0	\$0	\$0


 Sponsor's Initials _____ Date _____


 Budget Director's Initials _____ Date 2/25/2025