



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2027 Biennium

Bill#/Title: **SB0391.01: Revise opencut notification laws**

Primary Sponsor: **Shane Morigeau**

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)	\$0	\$0	\$0	\$0
Revenues				
State Special Revenue (02)	(\$10,000)	(\$10,000)	(\$10,000)	(\$10,000)
Net Impact	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
General Fund Balance				

Description of fiscal impact

SB 391 changes the permits required within the Department of Environmental Quality. There would be fewer opencut sites required to be operated under Standard Opencut Mining Permits (Standard Permit) and could instead be operated under Dryland Opencut Mining Permits (Dryland Permits). Changing the permit type would change the fee revenue.

FISCAL ANALYSIS

Assumptions

Department of Environmental Quality

1. The Department of Environmental Quality (DEQ) would receive fees for approximately 10 additional Dryland Permits and/or Dryland Permit amendments per fiscal year as a result of SB 391. Revenue received for 10 additional Dryland Permits and/or Dryland Permit amendments would result in a total \$5,000 per fiscal year increase.
2. DEQ would receive a reduction in fees for approximately 10 fewer Standard Permits or Standard Permit amendments per fiscal year as a result of SB 391. The reduction of 10 new Standard Permits or amendments would reduce revenue by \$7,500 to \$15,000 per fiscal year.
3. The net result of revenue with SB 391 would a loss of between \$2,500 and \$10,000 in fees per fiscal year.
4. There would likely be no increase or decrease in the number of public meetings held by DEQ as a result of SB 391. In sparsely populated areas, it may be easier under SB 391 to achieve the number of requests required for DEQ to hold a public meeting than under current law (30% of residents within 1 mile vs. 51% of landowners with occupied dwelling units (ODUs within a half-mile). In more densely populated areas, it may be more difficult under SB 391 to achieve the number of requests required for DEQ to hold a public meeting than under current law because of the potential to significantly increase the number of resident requests required to achieve the 30% requests threshold.

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>				
<u>Funding of Expenditures</u>				
<u>Revenues</u>				
State Special Revenue (02)	(\$10,000)	(\$10,000)	(\$10,000)	(\$10,000)
TOTAL Revenues	(\$10,000)	(\$10,000)	(\$10,000)	(\$10,000)
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures)</u>				
State Special Revenue (02)	(\$10,000)	(\$10,000)	(\$10,000)	(\$10,000)

NO SPONSOR SIGNATURE

3/3

Sponsor's Initials

Date



Budget Director's Initials

3/1/2025

Date