



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2027 Biennium

Bill#/Title: SB0268.01: Renew the dependency and neglect court system task force

Primary Sponsor: Dennis Lenz 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) | \$112,825 | \$48,354 | \$0 | \$0 |
| Revenues | | | | |
| General Fund (01) | \$0 | \$0 | \$0 | \$0 |
| Net Impact | <u>(\$112,825)</u> | <u>(\$48,354)</u> | <u>\$0</u> | <u>\$0</u> |
| General Fund Balance | | | | |

Description of fiscal impact

SB 268 amends sections 1, 2, and 6, chapter 659, Laws of 2023 by extending the Dependency and Neglect Court System Task Force to June 30, 2027. The total fiscal impact to the Legislative Branch is \$169,324. There is no additional fiscal impact anticipated for other state agencies.

FISCAL ANALYSIS

Assumptions

Legislative Branch

1. SB 268 extends the Dependency and Neglect Court System Task Force to June 30, 2027.
2. SB 268 increases the membership from 12 to 15 total members.
3. For the purposes of this fiscal note, it is assumed that SB 64 will become law.
4. Legislative members are increased to six, and will be compensated as provided in 5-2-302, MCA.
5. Nonlegislative members (who are not full-time salaried officers or employees of the state or political subdivision of the state) are entitled to reimbursement for lodging, mileage and meals as provided in 5-2-302, MCA. It's assumed that three members qualify:
 - a. Tribal member
 - b. Public member
 - c. Child protection specialist
6. Nonlegislative members (who are full-time salaried officers or employees of the state or political subdivision of the state) of the task force are entitled to travel expense reimbursement as provided in 2-18-501, MCA. It's assumed that three additional members qualify:
 - a. County Attorney
 - b. Law Enforcement Officer
 - c. District court judge

7. It is assumed the following task force members live in Helena, will not be in travel status, and will not be entitled to travel reimbursements:
 - a. Representative of the Office of State Public Defender
 - b. Representative of the Department of Public Health and Human Services
 - c. Representative of the Department of Corrections
8. Fiscal impacts are calculated on 12 one-day meetings .
 - a. FY 2025 will have one one-day meeting in Helena. There is an appropriation from the 2023 session's SB 182 that expires 06/30/2025 to pay for this meeting. The remaining meetings will be in FY 2026 and FY 2027.
9. SB 268 allows for the creation of subcommittees. It's assumed that the subcommittees will be comprised of Task Force members, and will be compensated differently:
 - a. The subcommittee will meet six times in FY 2026 and FY 2027, and will have three legislative members, two public members compensated by 5-2-302, and two public members compensated by 2-18-501 (see technical note).
 - b. All of the subcommittee meetings are calculated to be in Helena.
10. SB 268 allows for the creation of working groups. It is unknown how many members or meetings will be assigned to the working groups. It is unknown how or if working group members will be compensated. To calculate a fiscal impact, the subcommittee assumptions were used.
11. The fiscal impact to the Legislative Branch is \$169,324 broken out: \$8,145 (will be absorbed within existing budget) in FY 2025, \$112,825 in FY 2026, and \$48,354 in FY 2027.

Fiscal Analysis Table

| Legislative Branch | | | | |
|--|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| | <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> | | | | |
| Personal Services | \$23,037 | \$9,873 | \$0 | \$0 |
| Operating Expenses | \$89,788 | \$38,481 | \$0 | \$0 |
| TOTAL Expenditures | \$112,825 | \$48,354 | \$0 | \$0 |
| <u>Funding of Expenditures</u> | | | | |
| General Fund (01) | \$112,825 | \$48,354 | \$0 | \$0 |
| TOTAL Funding of Expenditures | \$112,825 | \$48,354 | \$0 | \$0 |
| <u>Revenues</u> | | | | |
| <u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures)</u> | | | | |
| General Fund (01) | (\$112,825) | (\$48,354) | \$0 | \$0 |

Technical Concerns**Legislative Branch**

1. SB 268 allows for travel reimbursements for all public members that are in travel status but refers to different statutes (Sections 1 (3) (b) and (c)). Section 1 (3) (b) does not specify, but the words, "...to the same extent as a legislative member" forces the assumption that 5-2-302, MCA, is the statute. 5-2-302, MCA, not only includes salary, which is removed in SB 268, but also directly requires travel to be reimbursed per 2-18-501 through 2-18-503, MCA. The two sections should be combined to refer to 2-18-501 through 2-18-503, MCA, to eliminate ambiguity on travel entitlements for public members.
2. SB 268 removes the entitlement of salary for all public members (Section 1 (3) (b)). While Section 2 (4) states that public members are entitled "salary and expenses to the same extent as a legislator." Section 2 (4) is in direct conflict with Section 1 (3) (b) regarding salary entitlement.

NO SPONSOR SIGNATURE

Sponsor's Initials_____
2/14/25
Date_____
Budget Director's Initials_____
Budget Director's Initials_____
2/12/2025_____
Date