



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2027 Biennium

Bill#/Title: **SB0430.01 (001): Generally revise laws related to civil commitment and emergency detention of mentally ill persons**

Primary Sponsor: John Esp Status: As Amended in Senate Committee

☐ 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>				
<b>Revenues</b>				
<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 430 revises laws relating to civil commitment and emergency detention of mentally ill persons, including conditions for transport to the Montana State Hospital and actions constituting contempt of court. The amendment requires that the professional person completing the emergency evaluation of the person placed in custody pay a \$20 fee to the court when the report is filed.

### FISCAL ANALYSIS

#### Assumptions

##### Judiciary

1. SB 430 revises actions that may be considered contempt in a court to ensure that the refusal or inability to admit a person who has been ordered to be committed to the Montana State Hospital under certain circumstances may not be considered in contempt.
2. SB 430 relates to civil commitments under Title 53, Part 21 where the costs related to commitment and evaluation of the mentally ill are not the responsibility of the Judicial Branch, but of the county of residence.
3. Section 6 requires a \$20 filing fee to be paid to the court before a professional person may file a report related to an emergency commitment.
4. The Judicial Branch does not collect court fees. The Department of Revenue collects court fees through the county collection process. The Judicial Branch assumes the fees will be deposited in the general fund in accordance with 25-1-202, MCA, although the amount of fees are not known, but are anticipated to be de minimus.
5. There are no costs related to the district court or the Judicial Branch as a result of this bill.

##### Department of Public Health and Human Services (DPHHS)

6. This amendment adds a \$20 fee to be collected by the court through the county collection process.
7. There is no impact for DPHHS.

### Fiscal Analysis Table

	<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>				
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures)</u>				
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

**Effect on County or Other Local Revenues or Expenditures**

The Department of Revenue collects these court fees through the county collection process.

NO SPONSOR SIGNATURE

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Sponsor's Initials

\_\_\_\_\_  
Date



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Budget Director's Initials

\_\_\_\_\_  
3/26/2025

\_\_\_\_\_  
Date