



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2027 Biennium

Bill#/Title: SB0050: Generally revise laws related to child abuse and neglect investigations

Primary Sponsor: Daniel Emrich

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>
<b>Expenditures</b>				
General Fund (01)	\$362,758	\$318,325	\$323,100	\$327,947
Federal Special Revenue (03)	\$155,467	\$136,425	\$138,472	\$140,548
<b>Revenues</b>				
General Fund (01)	\$0	\$0	\$0	\$0
Federal Special Revenue (03)	\$155,467	\$136,425	\$138,472	\$140,548
<b>Net Impact</b>	<u>(\$362,758)</u>	<u>(\$318,325)</u>	<u>(\$323,100)</u>	<u>(\$327,947)</u>
<b>General Fund Balance</b>				

### Description of fiscal impact

SB 50 requires a warrant to remove a child from the family unless the child is likely to experience sexual abuse or serious bodily injury in the time that would be required to obtain a warrant. The Department of Public Health and Human Services (DPHHS) Child and Family Services Division (CFSD) will incur additional overtime hours for child protection specialists (CPS) to secure warrants prior to removal, as well as costs to train current CFSD staff and county personnel on the new requirements and processes.

### FISCAL ANALYSIS

#### Assumptions

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

- SB 50 requires a warrant to remove a child from the family unless the child is likely to experience sexual abuse or serious bodily injury in the time that would be required to obtain a warrant. There were 1,276 removals during FY 2024. Of the 1,276 removals during FY 2024, 86% would require a warrant with the passage of SB 50. It is estimated to require two hours of child protection specialist (CPS) staff time to write a warrant and five hours to wait for the warrant to be issued. It is estimated that the warrant process will occur at an average of \$59.22 per overtime hour cost of CPS staff (1,097 FY 2024 removals, times 86% requiring a warrant, equals 1,097 warrant removals; two hours of warrant writing time, plus five hours warrant processing time, equals seven hours per warrant; 1,097 warrant removals, times seven hours per warrant, equals 7,679 annual hours of additional CPS time; 7,679 annual hours, times \$59.22 average hourly cost, equals \$454,750).

2. Warrant writing will be a new process for DPHHS staff. Applicable DPHHS Child and Family Services Division (CFSD) staff will require training on the warrant writing process that will require development. Additional warrant writing training will be provided to 331 current employees across multiple staff types and take four hours at an average hourly cost of \$39.54. The warrant writing training will be incorporated into new employee training in FY 2027 and beyond. (Four hours of training, times 331 current CFSD employees, times \$39.54 average hourly employee cost, equals \$52,351).
3. CFSD will facilitate warrant writing training to law enforcement and judges in all 56 Montana counties. The warrant writing training will take four hours at a rate of \$49.66 per hour. (56 counties, times four hours of training, times \$49.66 per hour, equals \$11,124).
4. CFSD administrative expenditures are federally allowable expenditures under Title IV-E of the Social Securities Act at a federal participation rate of 30%, the remaining 70% of expenditures are funded with State General Funds.

Removals during FY 2024	1,276
Times the percentage of removals that would require a warrant	86%
Equals the number of removals that would require a warrant	1,097
Hours required to write a warrant	2
Times the hours of waiting for warrant to process	5
Equals the total hours required per warrant	7
Number of removals that would require a warrant	1,097
Times the total hours required per warrant	7
Equals the annual hours required for warrant removals	7,679

#### Public Defender (OPD)

5. OPD assumes no impact from the shortened time to file abuse and neglect petitions as OPD does not file such petitions.
6. OPD assumes no impact from the warrant requirement as OPD does not remove children and would not be responsible for preparing such warrant applications.
7. OPD assumes no impact relating to OPD's coverage of EPS hearings as SB0050 as written does not shorten the allowed time between OPD's appointment to these cases upon a petition's filing and the resulting EPS hearing.

## Fiscal Analysis Table

Department of Public Health and Human Services				
	<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><u>Fiscal Impact</u></b>				
<b><u>Expenditures</u></b>				
Personal Services	\$518,225	\$454,750	\$461,572	\$468,495
<b>TOTAL Expenditures</b>	<b>\$518,225</b>	<b>\$454,750</b>	<b>\$461,572</b>	<b>\$468,495</b>
<b><u>Funding of Expenditures</u></b>				
General Fund (01)	\$362,758	\$318,325	\$323,100	\$327,947
Federal Special Revenue (03)	\$155,467	\$136,425	\$138,472	\$140,548
<b>TOTAL Funding of Expenditures</b>	<b>\$518,225</b>	<b>\$454,750</b>	<b>\$461,572</b>	<b>\$468,495</b>
<b><u>Revenues</u></b>				
Federal Special Revenue (03)	\$155,467	\$136,425	\$138,472	\$140,548
<b>TOTAL Revenues</b>	<b>\$155,467</b>	<b>\$136,425</b>	<b>\$138,472</b>	<b>\$140,548</b>
<b><u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures)</u></b>				
General Fund (01)	(\$362,758)	(\$318,325)	(\$323,100)	(\$327,947)
Federal Special Revenue (03)	\$0	\$0	\$0	\$0

NO SPONSOR SIGNATURE

Sponsor's Initials

Date

1/7/25

Budget Director's Initials

12/31/2024

Date