



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2027 Biennium

Bill#/Title: HB0191: Revise crime of endangering welfare of child

Primary Sponsor: Curtis Schomer

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)	\$0	\$0	\$0	\$0
<b>Revenues</b>				
General Fund (01)	\$0	\$0	\$0	\$0
<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**

HB 191 revises laws related to the offense of endangering the welfare of children to include committing assault on another in the presence of a child. There is minimal to no foreseen fiscal impact to the state.

### **FISCAL ANALYSIS**

#### **Assumptions**

#### **Department of Corrections**

1. HB 191 specifically states that the penalty is limited to \$1,000 and 1 year in county jail, maximum. As a result, the new language only concerns misdemeanors that should not impact the department.

#### **Judicial Branch**

2. HB 191 would amend 45-5-622, MCA, endangering welfare of children, to include a person who knowingly commits assault of a person, partner or family member assault, assault with a weapon, or strangulation of a partner or family member in the presence of a child.
3. A person may be charged regardless of the child's relationship to the person.
4. A person convicted under HB 191, would be guilty of a misdemeanor.
5. There is no fiscal impact to the Judicial Branch.

#### **Office of Public Defender (OPD)**

6. OPD has no data from which to make assumptions about the number of new charges that would be brought under HB 191 nor in what combination such charges would be brought with existing assault charges.
7. OPD is, therefore, unable to determine a fiscal impact.

**Department of Justice**

8. The Prosecution Services Bureau may charge the offense listed in HB 191 but there would be no significant fiscal impact from that charge.
9. The Montana Highway Patrol could see a minor increase in fine revenue due to additional offenses listed in HB 191.



Sponsor's Initials

2-3-25

Date



Budget Director's Initials

1/31/2025

Date