



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2027 Biennium

Bill#/Title: SB0425.01: Prohibit incarceration of certain inmates out of state

Primary Sponsor: Ellie Boldman 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>
<b>Expenditures</b>				
General Fund (01)	\$85,192	\$85,192	\$86,470	\$87,767
<b>Revenues</b>				
General Fund (01)	\$0	\$0	\$0	\$0
<b>Net Impact</b>	<u>(\$85,192)</u>	<u>(\$85,192)</u>	<u>(\$86,470)</u>	<u>(\$87,767)</u>
<b>General Fund Balance</b>				

### Description of fiscal impact

SB 425 amends 53-30-106, MCA, prohibiting the Department of Corrections (DoC) from incarcerating an inmate out of state in certain situations: "Unless an inmate's parental rights have been terminated or the inmate's incarceration is due to conviction of a sexual offense, the department may not select an inmate for confinement in an institution out of state if the inmate has a child who is under 13 years of age and resides in Montana." The department will require additional staff to gather, track, and implement the requirements of this bill.

### FISCAL ANALYSIS

#### Assumptions

#### Department of Corrections (DoC)

- SB 425 prohibits the DoC from selecting an inmate for out of state placement if the inmate has a child under the age of 13 that resides in Montana unless the inmate's parental rights have been terminated or the inmate's conviction is as a sexual offense.
- The department does not currently have a way to verify whether an inmate has children, the ages of those children, or whether the inmate has parental rights of the child.
- Additional staff time would be needed to screen offenders to determine if they meet this requirement.
- DoC assumes that it would take a minimum of 1.00 FTE. The fiscal impact in FY 2026 would be \$85,192 and in FY 2027 would be \$85,192.
- Assuming a 1.5% inflationary factor FY 2028 would be \$86,470 and FY 2029 would be \$87,767.

## Fiscal Analysis Table

Department of Corrections				
	<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>				
FTE	1.00	1.00	1.00	1.00
<b>TOTAL Fiscal Impact</b>	<b>1.00</b>	<b>1.00</b>	<b>1.00</b>	<b>1.00</b>
<b><u>Expenditures</u></b>				
Personal Services	\$85,192	\$85,192	\$86,470	\$87,767
<b>TOTAL Expenditures</b>	<b>\$85,192</b>	<b>\$85,192</b>	<b>\$86,470</b>	<b>\$87,767</b>
<b><u>Funding of Expenditures</u></b>				
General Fund (01)	\$85,192	\$85,192	\$86,470	\$87,767
<b>TOTAL Funding of Expenditures</b>	<b>\$85,192</b>	<b>\$85,192</b>	<b>\$86,470</b>	<b>\$87,767</b>
<b><u>Revenues</u></b>				
<b><u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures)</u></b>				
General Fund (01)	(\$85,192)	(\$85,192)	(\$86,470)	(\$87,767)

NO SPONSOR SIGNATURE

Sponsor's Initials

Date

3/3



Budget Director's Initials

3/1/2025

Date