FISCAL NOTE

Bill #: HB0126 **Title:** Change funding of consumer protection office

Primary Sponsor: Fritz, N **Status:** As Introduced

Sponsor signature Date Chuck Swysgood, Budget Director Date

Fiscal Summary

	FY 2004 Difference	FY 2005 Difference
Net Impact on General Fund Balance:	$0	$0

- ☐ Significant Local Gov. Impact
- ☐ Included in the Executive Budget
- ☐ Dedicated Revenue Form Attached
- ☒ Technical Concerns
- ☐ Significant Long-Term Impacts
- ☐ Needs to be included in HB 2

Fiscal Analysis

ASSUMPTIONS:

Department of Administration

1. HJR 2 does not include any revenue affected by the proposal. Hence, the proposal will have no affect on general fund revenue estimates.
2. Civil fines, costs and fees, primarily from multi-state cases, would be used to pay for costs of further investigations.
3. Funding for the Consumer Protection Office presented in the Executive Budget minimizes use of the general fund through increased reliance on state special funding. The proposal helps ensure adequate state special revenues exist to fund the office.
4. The National Association of Attorney Generals (NAAG) would continue to have its Multi-state Reimbursement Fund, which assists states in recovering litigation costs in multi-state actions.
5. Since a special revenue account already exists for this function, a dedicated revenue form is not attached.

Department of Justice

6. Section 2 of the bill indicates that DOJ costs may be defrayed. Authority could be added to HB 2 or an exception could be amended to 17-7-402, MCA, to allow the attorney general to seek appropriation authority as revenues are received or recovered.

TECHNICAL NOTES:

1. There is $451,298 of general fund included in the 2005 Executive Budget for Consumer Affairs. Contingency language could be added to HB 2 that reduces this general fund request should passage of this bill appear likely. The language could state: "Contingent on passage and approval of House Bill No. 126, if the revenue collected exceeds the amount of state special revenue appropriated in item x, then the excess state special revenue will be used to reduce the general fund in the program by a like amount."