



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2015 Biennium

<b>Bill #</b>	HB0168	<b>Title:</b>	Revise DUI laws for THC
<b>Primary Sponsor:</b>	Moore, David (Doc)	<b>Status:</b>	As Amended in House Committee

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Significant Local Gov Impact     | <input type="checkbox"/> Needs to be included in HB 2  | <input type="checkbox"/> Technical Concerns              |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

### FISCAL SUMMARY

	<u>FY 2014 Difference</u>	<u>FY 2015 Difference</u>	<u>FY 2016 Difference</u>	<u>FY 2017 Difference</u>
<b>Expenditures:</b>				
General Fund	\$2,640	\$0	\$0	\$0
State Special Revenue	\$1,760	\$0	\$0	\$0
<b>Revenue:</b>				
General Fund	\$0	\$0	\$0	\$0
State Special Revenue	\$0	\$0	\$0	\$0
<b>Net Impact-General Fund Balance:</b>	<u><u>(\$2,640)</u></u>	<u><u>\$0</u></u>	<u><u>\$0</u></u>	<u><u>\$0</u></u>

**Description of fiscal impact:** Law enforcement agencies would be required to process blood samples for delta-9-tetrahydrocannabinol. The Office of the Public Defender is unable to quantify the effect on workload this change in statute might cause.

### FISCAL ANALYSIS

#### Assumptions:

#### **Department of Justice (DOJ)**

1. The Montana State Crime Lab currently performs the required analysis for delta-9-tetrahydrocannabinol, therefore there no fiscal impact.
2. Information Technology Services Division (DOJ-ITSD) would need to hire a contractor to reconfigure code in the statewide database to generate suspension letters and generate suspension and reinstatement reports. It is estimated that reconfiguration will take 40 hours at an hourly rate of \$110 totaling \$4,400 (40 x \$110 = \$4,400). This will be a one-time expenditure in FY 2014 and is funded 60% general and 40% state special revenue.

**Office of Public Defender**

3. The Office of the Public Defender is unable to quantify the effect on workload this change in statute might cause.

	<u>FY 2014</u> <u>Difference</u>	<u>FY 2015</u> <u>Difference</u>	<u>FY 2016</u> <u>Difference</u>	<u>FY 2017</u> <u>Difference</u>
<b><u>Fiscal Impact:</u></b>				
<b><u>Expenditures:</u></b>				
Operating Expenses	\$4,400	\$0	\$0	\$0
<b><u>Funding of Expenditures:</u></b>				
General Fund (01)	\$2,640	\$0	\$0	\$0
State Special Revenue (02)	\$1,760	\$0	\$0	\$0
<b>TOTAL Funding of Exp.</b>	<u>\$4,400</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<b><u>Revenues:</u></b>				
General Fund (01)	\$0	\$0	\$0	\$0
State Special Revenue (02)	\$0	\$0	\$0	\$0
<b>TOTAL Revenues</b>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<b><u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u></b>				
General Fund (01)	(\$2,640)	\$0	\$0	\$0
State Special Revenue (02)	(\$1,760)	\$0	\$0	\$0

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

**Montana Association of Counties**

1. HB 168 is assumed to increase the cases of DUI charges. Increased cases translate to an increased workload on sheriff’s departments, county attorneys, and justices of the peace. It could also increase jail costs for persons charged with DUI by reason of THC levels. The average daily jail cost for incarceration pending adjudication is assumed to be \$60/day.

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*Sponsor’s Initials*

\_\_\_\_\_  
*Date*

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*Budget Director’s Initials*

\_\_\_\_\_  
*Date*