



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2015 Biennium

**Bill #** SB0330

**Title:** Revise water court jurisdiction laws

**Primary Sponsor:** Barrett, Debby

**Status:** As Introduced

- Significant Local Gov Impact     
 Needs to be included in HB 2     
 Technical Concerns  
 Included in the Executive Budget     
 Significant Long-Term Impacts     
 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	\$0	\$0	\$0	\$0
<b>Revenue:</b>				
General Fund	\$0	\$0	\$0	\$0
<b>Net Impact-General Fund Balance:</b>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

**Description of fiscal impact:** This bill has no fiscal impact to the state.

### FISCAL ANALYSIS

#### Assumptions:

1. This bill requires the Water Court to conduct judicial review of water right permit or change applications when a party seeks judicial review.
2. The Water Court estimates that there will be fewer than 20 such cases per year. If fewer than 20 cases are filed per year, the fiscal impact would be minimal.
3. The number of water court cases may increase as a result of this legislation; however, the Judicial Branch is unable to estimate the impact on judicial workload or the fiscal impact.

#### Technical Notes:

1. SB 330 could slow down processing appeals to DNRC decisions due to the Montana Water Court's workload. The current adjudication process is not complete and will not be complete for many years.
2. The number of petitions for judicial review of DNRC decisions may increase due to the de novo standard of review.

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*Sponsor's Initials*

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*Date*

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*Budget Director's Initials*

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*Date*