



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2017 Biennium

Bill # SB0187

Title: Generally revise criminal laws

Primary Sponsor: Fielder, Jennifer

Status: As Introduced

- | | | |
|---|--|--|
| <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 2016 Difference</u>	<u>FY 2017 Difference</u>	<u>FY 2018 Difference</u>	<u>FY 2019 Difference</u>
Expenditures:				
General Fund		----- Unknown -----		
Revenue:				
General Fund		----- Unknown -----		
Net Impact-General Fund Balance:		----- Unknown -----		

Description of fiscal impact: SB 187 will remove the statute of limitations for certain sexual offenses against certain minors. It will also create a new felony charge for a person convicted of filing a false report regarding a felony crime. The fiscal impact of SB 187 is unknown.

FISCAL ANALYSIS

Assumptions:

Department of Corrections

1. The Department of Corrections (DOC) was unable to determine how many cases under 45-5-502, 45-5-503, 45-5-504, 45-5-507, 45-5-625 or 45-5-627, MCA, were not prosecuted due to the current statute of limitations.
2. There is a potential fiscal impact to the DOC if there are any cases that will be prosecuted due to the changes proposed in SB 187, if the prosecution of the crime leads to a felony sentence.
3. The DOC was able to retrieve statistics from the Court Administrators Office indicating that there were 126 cases of providing a false report filed in FY 2014. There is no way to determine how many of these would be felonies under the proposed changes.

4. If a person is convicted of a felony under this new language, the cost of incarceration is \$34,175 per year per male inmate and \$38,515 per year per female inmate.

Office of the State Public Defender

5. The Office of the State Public Defender (OPD) has the statutory obligation to represent individuals charged with a crime who cannot afford to hire counsel, represent individuals on direct appeal, and also to provide counsel if there is a conflict of interest. The OPD is unable to predict the number of new cases the agency might face with the passage of SB 187.

Judicial Branch

6. The number of district court cases may increase as a result of SB 187; however, the Judicial Branch is unable to estimate the impact on judicial workload or the fiscal impact. The cumulative impact of such legislation may eventually require additional judicial resources because court dockets currently are full in many judicial districts throughout the state.

Sponsor's Initials

Date

Budget Director's Initials

Date