



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2017 Biennium

<b>Bill #</b>	SB0217	<b>Title:</b>	Revise laws related to vital statistics
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<b>Primary Sponsor:</b>	Hansen, Kris	<b>Status:</b>	As Introduced <input type="button" value="v"/>
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- 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 2016 Difference</u>	<u>FY 2017 Difference</u>	<u>FY 2018 Difference</u>	<u>FY 2019 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. SB 217 revises the rule making authority of the Office of Vital Records and requires that information collected for medical, health, or administrative use is optional and may only be collected after securing the parent's consent. The department does not anticipate additional costs as a result of this bill.

#### **Technical Notes:**

1. Child Support Enforcement
  - a. 42 UCC 666(a)(13) requires the collection of a social security number on a paternity determination or acknowledgement. A birth record may be considered a paternity acknowledgment when the child is born during a marriage.
  - b. 42 USC 405(c)(2)(C)(ii) requires the collection of a social security number for each parent in any law involving the issuance of a birth certificate. The social security numbers are not to be recorded on the birth certificate itself, but collected. This section further requires the state agency responsible

for issuance of birth certificates to furnish the social security numbers to the State’s Title IV-D agency for purposes of child support enforcement.

2. Public Health and Safety

- a. 50 -15-103 (2) revises the rule making authority for the Office of Vital Records and it is unclear how the existing oversight activities under MAPA would fit into the timeline established by the bill.
- b. It is also unclear how the Office of Vital Records would enact rules necessary to implement substantive sections (2) and (3) of the bill itself. Because the bill lacks an effective date, there is a statutory presumption that the law would take effect on the first day of October, 2015, following its passage and approval per Mont. Code Ann. § 1-2-201. Thus, there would be a situation where the law would be effective, but the agency would not be able to implement the law by rule until July 1, 2017.

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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*