



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2021 Biennium

Bill # HB0500

Title: Adopt the Montana Pain-Capable Unborn Child Protection Act

Primary Sponsor: Sheldon-Galloway, Lola

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 2020</u> <u>Difference</u>	<u>FY 2021</u> <u>Difference</u>	<u>FY 2022</u> <u>Difference</u>	<u>FY 2023</u> <u>Difference</u>
Expenditures:				
General Fund			-----unknown-----	
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

Description of fiscal impact: The Judicial Branch and Office of Public Defender are unable to estimate the fiscal impact of this bill.

FISCAL ANALYSIS

Assumptions:

Judicial Branch

- HB 500 prohibits the abortion of an unborn child capable of feeling pain; provides exceptions, definitions, penalties and civil remedies. New Section 4 of this bill creates a new felony crime. New Section 5 of the bill creates a new civil cause.
- The number of district 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. 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.

Office of Public Defender:

- The number of court cases may increase due to a potential increase in clients as a result of this legislation; however, the OPD is unable to estimate the fiscal impact on the workload. The cumulative impact of such legislation will eventually require additional OPD resources as caseloads are currently exceeding the American Bar Association caseload standards.

 Sponsor's Initials Date *TL* *2/20/19*
 Budget Director's Initials Date