



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2021 Biennium

<b>Bill #</b>	HB0730	<b>Title:</b>	Increase penalties for certain crimes committed against a pregnant woman
<b>Primary Sponsor:</b>	Sheldon-Galloway, Lola	<b>Status:</b>	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 2020 Difference</u>	<u>FY 2021 Difference</u>	<u>FY 2022 Difference</u>	<u>FY 2023 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:** HB 730 amends criminal statutes for assault 45-5-201, MCA, and partner or family member assault 45-5-206, MCA, to enhance penalties when the victim is pregnant and the perpetrator “knew or should have known the woman was pregnant.” The proposed language would increase the penalties from a maximum fine of \$500 and/or imprisonment in a county jail for no more than six months, to a maximum fine of \$1,000 and/or imprisonment in a county jail for not less than six months or more than one year.

### FISCAL ANALYSIS

#### Assumptions:

#### **Department of Corrections**

1. This bill would create new penalties for a third or subsequent conviction of partner or family member assault against a pregnant woman.
2. The Department of Corrections had 473 convictions of partner or family member assault in the past 5 years, of the convictions 18 were female and 455 were male. The Department of Corrections had 63 convictions of strangulation of a partner or family member.
3. The Department of Corrections (COR) is unable to determine how many people would be sentenced under the proposed language in this bill.
4. If a person is convicted of a felony under this new language, the cost of incarceration is \$39,971 per year per male inmate and \$38,675 per year per female inmate.

**Office of Public Defender**

5. Revisions outlined in this bill relating to the OPD are largely covered by current practices but may create additional fiscal impacts due to the enhanced penalties contained in Sections 1 and 2.

*Ing*

Sponsor's Initials

*3-27-19*

Date

*TL*

Budget Director's Initials

*3/27/19*

Date