



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2023 Biennium

Bill #	HB0073	Title:	Generally revise laws related to the criminal justice oversight council
Primary Sponsor:	Usher, Barry	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 2022 Difference</u>	<u>FY 2023 Difference</u>	<u>FY 2024 Difference</u>	<u>FY 2025 Difference</u>
Expenditures:				
General Fund	\$114,513	\$105,256	\$114,607	\$106,834
State Special Revenue	\$0	\$0	\$0	\$0
Federal Special Revenue	\$0	\$0	\$0	\$0
Other	\$0	\$0	\$0	\$0
Revenue:				
General Fund	\$0	\$0	\$0	\$0
State Special Revenue	\$0	\$0	\$0	\$0
Federal Special Revenue	\$0	\$0	\$0	\$0
Other	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	<u>(\$114,513)</u>	<u>(\$105,256)</u>	<u>(\$114,607)</u>	<u>(\$106,834)</u>

Description of fiscal impact: HB 73 creates a criminal justice oversight council. The total impact to the general fund is \$219,769 for the 2023 biennium and \$221,441 for the 2025 biennium.

FISCAL ANALYSIS

Assumptions:

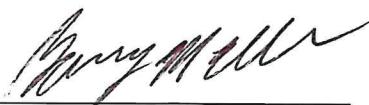

Department of Corrections

1. This bill removes the requirement of the Department of Corrections (DOC) to provide administrative support to the Criminal Justice Oversight Council (CJOC). In the 2019 legislative session, the Director's Office was provided an appropriation of \$20,000 for fiscal year 2020 and fiscal year 2021 as part of HB 369 for use in paying CJOC operating expenses and travel expenses. This funding, however, was only appropriated for the 2021 biennium and was not ongoing. There is no fiscal impact to the Department of Corrections in the 2023 biennium.

Legislative Branch

2. HB 73 creates a Criminal Justice Oversight Council (council). The 16-member council includes two members of the House of Representatives, two members of the Senate, one district court judge, the director and deputy director of the Department of Corrections, a county sheriff, a county attorney, one member of a state or federally-recognized Indian tribe, one member of the Board of Pardons and Parole, one member representing the Office of State Public Defender, one representative of crime victims, one representative of civil rights advocates, and two representatives of community corrections providers.
3. The Legislative Services Division shall provide clerical and administrative staff services to the council.
4. For the purposes of this fiscal note, it is assumed that the Legislative Services Division will compensate legislative members for salary and travel as provided in 5-2-302, MCA. The legislative members are:
 - a. Two members of the House of Representatives
 - b. Two members of the Senate
5. For the purposes of this fiscal note, it is assumed that the Legislative Services Division will compensate other members for travel (no salary), as provided in 2-18-501 through 2-18-503, MCA.
6. It is assumed that the following members will travel to Helena:
 - a. One district court judge
 - b. One county sheriff
 - c. One county attorney
 - d. One member of a state or federally recognized Montana Indian tribe
 - e. One representative of crime victims
 - f. One representative of civil rights advocates
 - g. Two representatives of community corrections providers
7. It is assumed that members other than legislators will be paid salary by their respective agencies.
8. Salary for legislators will be \$3,487 for FY 2022 and \$2,325 FY 2023.
9. Travel for legislators and other members will be \$19,486 for FY 2022 and \$12,991 for FY 2023.
10. The bill, as drafted, changes the administrative and clerical support responsibility to the Legislative Services Division. These duties include the organization, research, and project management that is performed by a research analyst, in addition to the processing of claims, information technology, and clerical support. This will require 1.00 FTE for the division, with annual salary and benefits estimated at \$87,560.
11. There will be a new employee office package and computer package with a one-time cost of \$1,600 in FY 2022. Office expenditures are estimated at \$2,380 per fiscal year and include paper, printing, supplies, phones, information technology costs, and training.
12. A 1.5% inflationary factor is applied for the 2025 biennium.
13. Due to the cyclical nature of the Legislative Branch, the costs are split out as follows:
 - h. 60% in the even year of each biennium
 - i. 40% in the odd year of each biennium

	<u>FY 2022</u> <u>Difference</u>	<u>FY 2023</u> <u>Difference</u>	<u>FY 2024</u> <u>Difference</u>	<u>FY 2025</u> <u>Difference</u>
<u>Fiscal Impact:</u>				
FTE	1.00	1.00	1.00	1.00
<u>Expenditures:</u>				
Personal Services	\$91,047	\$89,885	\$92,413	\$91,233
Operating Expenses	\$23,466	\$15,371	\$22,194	\$15,601
TOTAL Expenditures	<u>\$114,513</u>	<u>\$105,256</u>	<u>\$114,607</u>	<u>\$106,834</u>
<u>Funding of Expenditures:</u>				
General Fund (01)	\$114,513	\$105,256	\$114,607	\$106,834
TOTAL Funding of Exp.	<u>\$114,513</u>	<u>\$105,256</u>	<u>\$114,607</u>	<u>\$106,834</u>
<u>Revenues:</u>				
General Fund (01)	\$0	\$0	\$0	\$0
TOTAL Revenues	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
General Fund (01)	(\$114,513)	(\$105,256)	(\$114,607)	(\$106,834)

	<u>1/12/21</u>		<u>1/11/21</u>
Sponsor's Initials	Date	Budget Director's Initials	Date