



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2023 Biennium

Bill # HB0112

Title: Require interscholastic athletes to participate under sex assigned at birth

Primary Sponsor: Fuller, John

Status: As Amended in House Committee

- 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</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>
Expenditures:				
General Fund	\$0	\$0	\$0	\$0
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: This bill requires additional expenditures on behalf of the state. However, the bill may have fiscal impacts to the Montana University System as indicated in assumptions 1 and 2.

FISCAL ANALYSIS

Assumptions:

Commissioner of Higher Education

1. Passage of the bill may lead to NCAA policy violations that would prevent the Montana University System from hosting tournaments, playoffs, or events. Loss of such activities would have a fiscal impact to the institutions.
2. Given President Biden's January 20, 2021 Executive Order, federal funds for higher education may be in jeopardy if the bill is found to be discriminatory in the context of Title IX.

Office of Public Instruction

3. There may be some administrative work on the part of school districts, but it anticipated to be minimal.

Board of Public Education

4. The Board of Public Education has general supervision over the K-12 Public Education system in Montana but does not have supervision over interscholastic athletics or activities in the K-12 Public Education system.



Sponsor's Initials

2/3/21

Date



Budget Director's Initials

2/2/21

Date