



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2023 Biennium

<b>Bill #</b>	HB0354	<b>Title:</b>	Revise laws regarding driving while intoxicated costs
<b>Primary Sponsor:</b>	Smith, Frank	<b>Status:</b>	As Introduced

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Significant Local Gov Impact     | <input type="checkbox"/> Needs to be included in HB 2  | <input checked="" 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 2022 Difference</u>	<u>FY 2023 Difference</u>	<u>FY 2024 Difference</u>	<u>FY 2025 Difference</u>
<b>Expenditures:</b>				
General Fund	\$150,000	\$0	\$0	\$0
State Special Revenue	\$0	\$0	\$0	\$0
<b>Revenue:</b>				
General Fund	\$0	\$0	\$0	\$0
State Special Revenue	\$0	\$0	\$0	\$0
<b>Net Impact-General Fund Balance:</b>	<u>(\$150,000)</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

**Description of fiscal impact:** HB 354 codifies the creation of tribal drinking and driving prevention task forces within 61-2, part 1, MCA. To fund the task force, the bill appropriates \$150,000 of driver's license reinstatement fees to the Montana Department of Transportation (MDT).

### FISCAL ANALYSIS

#### Assumptions:

#### Department of Transportation (MDT)

- MDT will receive a \$150,000 appropriation for the biennium beginning July 1, 2021.
- MDT will distribute the entire \$150,000 to the northern tribes DUI task force during the 2023 biennium.
- No additional appropriations are provided past the 2023 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>
<b><u>Fiscal Impact:</u></b>				
<b><u>Expenditures:</u></b>				
Transfers	\$150,000	\$0	\$0	\$0
<b>TOTAL Expenditures</b>	<b>\$150,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b><u>Funding of Expenditures:</u></b>				
General Fund (01)	\$150,000	\$0	\$0	\$0
State Special Revenue (02)	\$0	\$0	\$0	\$0
<b>TOTAL Funding of Exp.</b>	<b>\$150,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b><u>Revenues:</u></b>				
General Fund (01)	\$0	\$0	\$0	\$0
State Special Revenue (02)	\$0	\$0	\$0	\$0
<b>TOTAL Revenues</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b><u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u></b>				
General Fund (01)	(\$150,000)	\$0	\$0	\$0
State Special Revenue (02)	\$0	\$0	\$0	\$0

**Technical Notes:**

1. Section 2 of the bill appropriates \$150,000 of “the state’s portion of the driver’s license reinstatement fees”.
2. Section 61-5-218, MCA, provides for a fee for reinstating a suspended or revoked license of \$100. This is for reinstatement of licenses suspended due to medical reasons. These fees are deposited to the general fund.
3. Section 61-2-107(2), MCA, allocates one half of the driver’s licenses reinstatement fees from a suspension due to DUI or other felony offenses to the general fund and the other half to a state special revenue fund. This fee is \$200. The state special revenue fund portion provides funding for county and drinking and driving prevention programs as prescribed in 61-2-108, MCA.
4. Section 2 does identify which of these reinstatement fees are referenced in the appropriation.
5. Funds deposited in the state special revenue account references in technical note 3 are allocated to counties that have a drinking and driving prevention program. Tribal entities are not eligible in the statute for receipt of these funds.
6. The source of revenue for the one-time-only appropriation in the bill should be clarified. For purposes of this fiscal note, it was assumed to be the general fund.

*Frank J. Smith*  
Sponsor's Initials

*2/16/2021*  
Date

*KA*  
Budget Director's Initials

*2/15/21*  
Date