



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2023 Biennium

**Bill #** HB0553

**Title:** Limit time of suspended sentences for felony convictions

**Primary Sponsor:** Patelis, Jimmy

**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>
<b>Expenditures:</b>				
General Fund	(\$1,462,755)	(\$491,034)	(\$526,124)	(\$563,334)
<b>Revenue:</b>				
General Fund	\$0	\$0	\$0	\$0
<b>Net Impact-General Fund Balance:</b>	<u>\$1,462,755</u>	<u>\$491,034</u>	<u>\$526,124</u>	<u>\$563,334</u>

**Description of fiscal impact:** HB 553 amends 46-18-201, MCA, by limiting the length of a suspended sentence imposed by a court. This bill would impact the Department of Corrections (DOC) by requiring an immediate review of all sentences currently being served on probation to determine if the offender would be entitled to early termination. If passed, this could potentially reduce the number of offenders serving time on probation. The Office of Public Defender (OPD) represents individuals on direct appeal and in a variety of constitutional and statutorily required civil actions. OPD with the passage of this legislation anticipates a reduction in required counsel.

### FISCAL ANALYSIS

**Assumptions:**

- The bill adds language that a sentencing judge may not suspend execution of sentence.... in a manner that would result in an offender being supervised in the community... for a period of time longer than” 20 years for a sexual offender, 15 years for a violent offender, 10 years for offender convicted of certain drug crimes “or 5 years for all other felony offenses.”

**Department of Corrections (DOC)**

- At this time, the DOC IT department was able to preliminarily identify 1,256 offenders who would qualify for termination in the next four fiscal years per the proposed language.

