



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2023 Biennium

Bill # HB0570

Title: Prohibit infringement of constitutional right to nullify certain fed legislation

Primary Sponsor: Skees, Derek

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	Unknown	Unknown	Unknown	Unknown
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>

Description of fiscal impact: HB 570 creates a Legislative Constitutional Review Committee. This bill will have minimal fiscal impact to the Office of the Secretary of State. Due to the technical concerns identified, however, the fiscal impact to the Legislative Branch cannot be determined.

FISCAL ANALYSIS

Assumptions:

Legislative Branch

1. HB 570 creates a Legislative Constitutional Review Committee.
2. The Legislative Constitutional Review Committee will recommend, propose, and call for a vote of simple majority to nullify a federal law that is outside the scope of the powers delegated by the people to the federal government in the United States constitution.
3. The committee may review all existing federal statutes, mandates, and executive orders.
4. The committee is treated as an interim committee (5-5-211 through 5-5-214, MCA). The committee will have 20 legislative members.
5. HB 570 has an immediate effective date and no termination date.
6. It is unclear who will staff the committee.
7. It is unknown how many bills are seeking to add to the duties of the Legislative Services Division. The fiscal note of each bill is prepared based on the effect of each individual bill. However, when viewed as a package,

the cumulative effect of passage of more than one bill would require additional analysis and may require additional resources for staffing.

Office of the Secretary of State

- 8. The office does not receive general fund monies for office operations but has agreed to absorb the costs associated with implementing this bill within the office’s existing operating budget.

Technical Notes:

Legislative Branch

- 1. HB 570 does not state how many meetings will be held in a biennium.
- 2. HB 570 does not mention legislative members’ compensation.
- 3. Although it refers to 5-5-214, MCA, which states, “The personnel, data, and facilities of the legislative services division and other appropriate legislative entities must be made available to the interim committees,” it does not say that the Legislative Services Division will provide staffing, administrative, and clerical assistance to the committee.



 Sponsor's Initials

3/1/21

 Date

REGOR KA

 Budget Director's Initials

3/1/21

 Date