



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2023 Biennium

**Bill #** HB0711

**Title:** Revise laws relating to the first amendment and the media

**Primary Sponsor:** Noland, Mark

**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

|   | <b>FY 2022</b>           | <b>FY 2023</b>           | <b>FY 2024</b>           | <b>FY 2025</b>           |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
|   | <b><u>Difference</u></b> | <b><u>Difference</u></b> | <b><u>Difference</u></b> | <b><u>Difference</u></b> |
| <b>Expenditures:</b>                    |                          |                          |                          |                          |
| General Fund                            | Undeterminable           | Undeterminable           | Undeterminable           | Undeterminable           |
| <b>Revenue:</b>                         |                          |                          |                          |                          |
| General Fund                            | \$0                      | \$0                      | \$0                      | \$0                      |
| <b>Net Impact-General Fund Balance:</b> | <u>Undeterminable</u>    | <u>Undeterminable</u>    | <u>Undeterminable</u>    | <u>Undeterminable</u>    |

**Description of fiscal impact:** The Judicial Branch is unable to estimate the fiscal impact of HB 711.

### FISCAL ANALYSIS

**Assumptions:**

**Judicial Branch:**

- HB 711 requires media outlets to provide equal coverage in comparable time, place, magnitude, prominence, scale, and manner in the same format as the original reporting of a case and controversy if the outcome is less severe than originally reported and the accused or their agent demand a follow up to the reporting.
- Section 6 stipulates that if an accused or an authorized agent sends an electronic or written demand notice to the media outlet within 20 days after the verdict or outcome demanding the facts be published surrounding the final and actual decision or outcome, the media has 10 days to comply. If the media outlet fails to comply within 10 days, the accused has 1 year from the date to file suit.
- This would create a new cause of action thus the number of district court cases may increase as a result of this legislation. The Judicial Branch is unable to estimate the impact on the judicial workload or the fiscal impact. The cumulative impact of such legislation may eventually require additional judicial resources because the court dockets currently are full in many judicial districts throughout the state.

**Department of Justice:**

- Department of Justice estimates provisions found within this bill can be covered within existing resources, however it may be necessary to seek additional funding should the bill get challenged based on constitutional grounds.

## AUTHORIZED BY SPONSOR

\_\_\_\_\_      4/6/21      \_\_\_\_\_      4-5-21  
*Sponsor's Initials*      *Date*      *Budget Director's Initials*      *Date*