



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2023 Biennium

Bill #	SB0240	Title:	Revise crime reporting laws
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Primary Sponsor:	Manzella, Theresa	Status:	As Introduced
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- 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	\$2,958	\$2,958	\$3,002	\$3,047
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	<u>(\$2,958)</u>	<u>(\$2,958)</u>	<u>(\$3,002)</u>	<u>(\$3,047)</u>

Description of fiscal impact: The Office of the State Public Defender (OPD) anticipates an increase in the number of felony cases related to 45-7-205, MCA. Resulting in a \$ 5916 fiscal impact over the next biennium.

FISCAL ANALYSIS

Assumptions:

The Office of the State Public Defender (OPD):

- OPD has the statutory obligation to represent individuals charged with a crime who cannot afford to hire counsel. OPD also represents individuals on direct appeal and in a variety of constitutional and statutorily required civil actions.
- In 2020, OPD processed 74 cases related to 45-7-205, MCA, false reports to law enforcement. 60 of those were either stand-alone misdemeanors or charged in conjunction with another misdemeanor offense, 13 were felony cases, and one was a juvenile case.
- This bill assumes an increase in the number of cases charged as felony offenses related to false reporting by 50% of current misdemeanor cases or 30 additional cases charged as a felony. (60 misdemeanor cases times 50%)
- OPD assumes an increase in cost each fiscal year of \$2,958.
 - Case weight for misdemeanors under title 45 all crimes is 7 hours per case.

- b. Case weight for felonies under title 45-7-101 through 45-7-501, MCA, is 10 hours per case.
 - c. Current all-inclusive hourly rate for FTE is \$68.48 established by the 2019 performance audit.
 - d. The increase in operating expenses would be \$2,958.
5. A 1.5% inflation factor is applied in FY 2024 and FY 2025.

Department of Corrections (DOC):

- 6. SB 240 could have a potential impact on DOC if there are any cases which could be prosecuted due to the changes proposed in this bill. The DOC is unable to determine how many new cases would be prosecuted under the proposed changes and the new felony.

	<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>
<u>Fiscal Impact:</u>				
<u>Expenditures:</u>				
Personal Services	\$0	\$0	\$0	\$0
Operating Expenses	<u>\$2,958</u>	<u>\$2,958</u>	<u>\$3,002</u>	<u>\$3,047</u>
TOTAL Expenditures	<u><u>\$2,958</u></u>	<u><u>\$2,958</u></u>	<u><u>\$3,002</u></u>	<u><u>\$3,047</u></u>
<u>Funding of Expenditures:</u>				
General Fund (01)	<u>\$2,958</u>	<u>\$2,958</u>	<u>\$3,002</u>	<u>\$3,047</u>
TOTAL Funding of Exp.	<u><u>\$2,958</u></u>	<u><u>\$2,958</u></u>	<u><u>\$3,002</u></u>	<u><u>\$3,047</u></u>
<u>Revenues:</u>				
General Fund (01)	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
TOTAL Revenues	<u><u>\$0</u></u>	<u><u>\$0</u></u>	<u><u>\$0</u></u>	<u><u>\$0</u></u>
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
General Fund (01)	(\$2,958)	(\$2,958)	(\$3,002)	(\$3,047)

Sponsor's Initials	Date	<div style="text-align: center; color: blue; font-size: 1.2em; margin-bottom: 5px;">KA</div> Budget Director's Initials	<div style="text-align: center; color: blue; font-size: 1.2em; margin-bottom: 5px;">2/18/21</div> Date
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