



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2023 Biennium

**Bill #** SB0370

**Title:** Protecting constitutional rights during an emergency

**Primary Sponsor:** Ellsworth, Jason W

**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</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>Expenditures:</b>				
General Fund			----- Cannot be Determined -----	
<b>Revenue:</b>				
General Fund	\$0	\$0	\$0	\$0
<b>Net Impact-General Fund Balance:</b>	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>

**Description of fiscal impact:** SB 370 revises disaster and emergency powers laws. In the aftermath of a disaster, SB 370 could limit state government's ability to manage hostilities and conflicts; and may result in additional liability, damaged property, or injury to persons. The fiscal impact to the state cannot be determined.

### FISCAL ANALYSIS


**Assumptions:**

**Department of Administration – Risk Management and Tort Defense Division**

1. The division is unable to determine the actual increase in costs as the impact would be dependent upon future claims that may result from this legislation.

**Department of Justice**

2. A fiscal impact cannot be determined at this time because it is tied to an emergency declaration. There is no way to determine how often a declaration will exist.
3. It is possible that should many lawsuits arise to either challenge or implement the bill, the Department of Justice would need to hire experts or outside counsel for the workload.

  
 \_\_\_\_\_  
 Sponsor's Initials

3/9  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Budget Director's Initials

3/2/21  
 \_\_\_\_\_  
 Date