



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2025 Biennium

**Bill information:**

HB0308 - Establish registry of forensic state hospital patients for limited purposes (Yakawich, Michael )

**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 2024</u> <u>Difference</u>	<u>FY 2025</u> <u>Difference</u>	<u>FY 2026</u> <u>Difference</u>	<u>FY 2027</u> <u>Difference</u>
<b>Expenditures:</b>				
General Fund				***Cannot Reasonably be Determined***
<b>Revenue:</b>				
General Fund				***Cannot Reasonably be Determined***
<b>Net Impact-General Fund Balance:</b>				***Cannot Reasonably be Determined***

**Description of fiscal impact:** HB 308 requires the Department of Public Health and Human Services (DPHHS) (Department) to create a registry of those committed to the Montana State Hospital (MSH) or other mental health facilities as part of a criminal proceeding when charged with a sexual offence or other violent crime. Because of the broad nature of HB 308, DPHHS cannot determine a fiscal impact.

### FISCAL ANALYSIS

**Assumptions:**

- DPHHS currently has six committed residents found not guilty by reason of mental illness (NGMI) at Montana state run mental health facilities. However, due to the ambiguity of how the department would operate a registry of other populations outlined in Section 1(a) and (b), the department cannot determine a fiscal impact.

**Technical Notes:**

- Given the language in Section 1 (a), (b), and (c), "committed to the MSH or another mental health facility," the bill does not just require tracking and registry of individuals found NGMI, but would also include other criminal defendants. As currently written, this other set of individuals is much larger than those committed to MSH and or other mental health facilities. It may also require ongoing tracking of individuals who have

been or could be placed for treatment outside of MSH and forensic mental health facilities (FMHF). The department may not receive orders for individuals committed to other facilities which could significantly increase administrative burden and fiscal impact in creating and maintaining this registry.

Mike Yakawich 1-30-23  
Sponsor's Initials Date

 1-27-23  
Budget Director's Initials Date