



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2025 Biennium

**Bill information:**

HB0404 - Revise DUI first time offense laws (Falk, Terry )

**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	\$0	\$0	\$0	\$0
<b>Revenue:</b>				
General Fund	\$70,093	\$70,093	\$70,093	\$70,093
<b>Net Impact-General Fund Balance:</b>	<u>\$70,093</u>	<u>\$70,093</u>	<u>\$70,093</u>	<u>\$70,093</u>

**Description of fiscal impact:** HB 404 would have a positive impact to general fund revenue due to an increase in the fine for a first time DUI.

### FISCAL ANALYSIS

**Assumptions:**

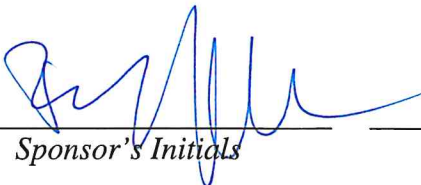

1. The Montana Highway Patrol (MHP) estimates that between 2017-2021 there were 1,219 first time offense Driving Under the Influence (DUI) citations written annually. The average fine amount paid was \$885 per citation.
2. It is assumed that with the new minimum fine per citation would be \$1,000. Based on the \$885 current average fine, an additional \$115 per citation would be received for the new minimum fine.
3. Half of the fine revenue received goes to the state general fund and half goes to the county in which the citation was written.
4. This would result in an increase in revenue of \$70,093 to the state and a like amount to the local jurisdiction.

- MHP does not have accurate data to estimate the number of citations that include passengers under 16 years of age, so no assumption is made.

	<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><u>Fiscal Impact:</u></b>				
<b><u>Expenditures:</u></b>				
Operating Expenses	\$0	\$0	\$0	\$0
<b>TOTAL Expenditures</b>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<b><u>Funding of Expenditures:</u></b>				
General Fund (01)	\$0	\$0	\$0	\$0
<b>TOTAL Funding of Exp.</b>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<b><u>Revenues:</u></b>				
General Fund (01)	\$70,093	\$70,093	\$70,093	\$70,093
<b>TOTAL Revenues</b>	<u>\$70,093</u>	<u>\$70,093</u>	<u>\$70,093</u>	<u>\$70,093</u>
<b><u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u></b>				
General Fund (01)	\$70,093	\$70,093	\$70,093	\$70,093

**Effect on County or Other Local Revenues or Expenditures:**

- Counties would see an increase in revenue due to an increase in fines (see assumption 4).

 <hr/> Sponsor's Initials	2/13/23 <hr/> Date	 <hr/> Budget Director's Initials	2-7-23 <hr/> Date
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