



Fiscal Note 2025 Biennium

Bill information:	
SB0431 - Revise laws related to judicial vacancy appointments (Friedel, Chris)	
Status:	As Introduced

<input type="checkbox"/> Significant Local Gov Impact	<input checked="" type="checkbox"/> Needs to be included in HB 2	<input type="checkbox"/> Technical Concerns
<input type="checkbox"/> Included in the Executive Budget	<input type="checkbox"/> Significant Long-Term Impacts	<input type="checkbox"/> Dedicated Revenue Form Attached

FISCAL SUMMARY

	<u>FY 2024 Difference</u>	<u>FY 2025 Difference</u>	<u>FY 2026 Difference</u>	<u>FY 2027 Difference</u>
Expenditures:				
General Fund	\$18,355	\$18,355	\$18,630	\$18,910
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	(\$18,355)	(\$18,355)	(\$18,630)	(\$18,910)

Description of fiscal impact: SB 431 creates a Judicial Appointment Advisory Committee authorized by the Governor to conduct investigations concerning qualifications of eligible persons for judicial vacancy appointments. The fiscal impact to the Legislative Branch is \$36,710 for the 2025 biennium.

FISCAL ANALYSIS

Assumptions:

Legislative Branch

1. SB 431 establishes a Judicial Appointment Advisory Committee. The committee is composed of the current sitting members of the Senate Judiciary Standing Committee (11 legislators).
2. SB 431 requires the committee to meet for the purposes of 3-1-901, MCA, "Judicial Vacancies" and amends 3-1-902, MCA, to allow the Governor to authorize investigations of the qualifications of eligible persons by the committee.
3. SB 431 amends 3-1-904, MCA, by creating the committee and setting a timeframe to review applications and interview applicants that provides at least 30 days for public comment.
4. SB 431 requires the committee to recommend an applicant for appointment to the governor.

5. New Section 1 of SB 431 allows committee members to be compensated as follows:
 - a. \$105 a day
 - b. Travel expense reimbursement
6. For the purposes of this fiscal note, it is assumed that committee members will travel to the affected district to allow for easy accessibility for public comment.
7. The state of Montana has seven supreme court justices, 56 district courts, 22 judicial districts, and 46 district court judges.
8. Appointments are only made when a sitting judge resigns or otherwise vacates his/her office mid-term. The appointment terminates at the end of the current term (after the election-cycle).
9. For the purposes of this fiscal note, it is assumed that there will be an average of two appointments each year.
10. It is assumed that the committee will meet three times for each appointment:
 - a. To review applications
 - b. To interview applicants
 - c. To hear public comment and provide recommendation to the Governor
11. SB 431 does not specify which agency will be compensating the committee. For this fiscal note, it is assumed that the Legislative Services Division (LSD) will compensate members.
12. SB 431 does not specify which agency will be responsible for staffing the three meetings for each appointment. For this fiscal note, it is assumed that the applicable district will staff the meetings and LSD will not provide any resources to these meetings. If the intent is to have LSD staff these meetings, additional appropriation to LSD will be required.
13. The fiscal impact to LSD is split equally between each fiscal year of the biennium and is as follows:
 - a. FY 2024 Salaries: \$6,204
 - b. FY 2024 Travel: \$12,151
 - c. FY 2025 Salaries: \$6,204
 - d. FY 2025 Travel: \$12,151
14. A 1.5% inflationary factor has been applied to these costs for fiscal years 2026 and 2027.

	<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>
<u>Fiscal Impact:</u>				
FTE	0.00	0.00	0.00	0.00
<u>Expenditures:</u>				
Personal Services	\$6,204	\$6,204	\$6,297	\$6,392
Operating Expenses	\$12,151	\$12,151	\$12,333	\$12,518
TOTAL Expenditures	\$18,355	\$18,355	\$18,630	\$18,910
<u>Funding of Expenditures:</u>				
General Fund (01)	\$18,355	\$18,355	\$18,630	\$18,910
TOTAL Funding of Exp.	\$18,355	\$18,355	\$18,630	\$18,910
<u>Revenues:</u>				
General Fund (01)	\$0	\$0	\$0	\$0
TOTAL Revenues	\$0	\$0	\$0	\$0
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
General Fund (01)	(\$18,355)	(\$18,355)	(\$18,630)	(\$18,910)

Effect on County or Other Local Revenues or Expenditures:

Montana Association of Counties

1. County facilities and courtroom spaces may be used for the committee meetings, but there is no fiscal impact for this use.

NO SPONSOR SIGNATURE

 Sponsor's Initials

2/27

 Date



 Budget Director's Initials

2-27-23

 Date