



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2025 Biennium

Bill information:

SB0093 - Generally revising ballot issues (Cuffe, Mike)

Status: As Amended in Senate Committee

- | | | |
|---|--|--|
| <input type="checkbox"/> Significant Local Gov Impact | <input 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

	FY 2024 Difference	FY 2025 Difference	FY 2026 Difference	FY 2027 Difference
Expenditures:				
General Fund	\$0	\$0	\$0	\$0
Other - Proprietary	\$93,000	\$0	\$93,000	\$0
Revenue:				
General Fund	\$93,000	\$0	\$93,000	\$0
Other - Proprietary	\$21,700	\$0	\$21,700	\$0
Net Impact-General Fund Balance:	\$93,000	\$0	\$93,000	\$0

Description of fiscal impact: This proposed legislation establishes a nonrefundable fee of \$3,700 for proponents filing statutory initiatives, statutory referendums, constitutional initiatives, and constitutional convention initiatives. The legislation provides that the Office of Secretary of State will collect the fees and then provides for distribution of these fees between three agencies – the Office of the Secretary of State (\$700), Legislative Branch (\$2,000), and the Department of Justice (\$1,000). The agencies receiving the fee are already budgeted for the costs associated ballot proposals, there are no additional costs.

FISCAL ANALYSIS

Assumptions:

Office of the Secretary of State

1. In FY 2022, the Office of the Secretary of State received 31 ballot initiative submissions. It is assumed the office will receive the same number of submissions in FY 2024 and 2026.
2. It is assumed that the revenues will be received in the even-numbered year of each biennium.
3. The office will deposit \$3,700 for each ballot initiative submission into the office's proprietary fund and transfer \$2,000 to the Legislative Branch and \$1,000 to the Department of Justice. The balance of \$700 will be retained by the office.

4. Based on the FY 2022 ballot initiative submissions, the office will collect a total of \$114,700 (\$3,700 x 31 submissions), transfer \$93,000 (\$3,000 x 31 submission), and retain \$21,700 in submission fees (\$700 X 31 submissions) for FY 2024 and FY 2026.
5. The office will absorb any costs for processing these initiatives using current staff and budget.

Legislative Branch

6. The Legislative Branch will receive \$62,000 in FY 2024 and FY 2026 (\$2,000 x 31 submissions).
7. Since the branch is already funded for the work of reviewing ballot initiatives through the general fund, it is assumed the funds transferred would be deposited in the general fund.

Department of Justice

8. The Department of Justice will receive \$31,000 in FY 2024 and 2026 (\$1,000 x 31 submissions).
9. Since the department is already funded for the work of reviewing ballot initiatives through the general fund, it is assumed the funds transferred would be deposited in the general fund.

Commissioner of Political Practices

10. SB 93 requires the Commissioner of Political Practices (COPP) to include statewide ballot initiatives when performing the certification process outlined under 13-37-126, MCA. There are no additional resources required for this work.
11. Ballot issue committees are required under current law to file a certification with COPP under 13-37-201(2)(c), MCA. This bill only changes the time required for filing this certification, which will have no impact on the office.
12. Ballot issue committees are required under current law to file finance reports with COPP under 13-37-228, MCA. This bill will change the time required for filing the initial report, potentially requiring a ballot issue committee to file more reports than required under current law. There is no anticipated additional expense for this component of the bill.
13. Certain person(s) employing paid signature gatherers not already required to register and report with COPP may be required to do so due to SB 93. No additional resources are required for this work.

	<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>				
Transfers - Legislative Branch	\$62,000	\$0	\$62,000	\$0
Transfers - Dept. of Justice	\$31,000	\$0	\$31,000	\$0
TOTAL Expenditures	\$93,000	\$0	\$93,000	\$0
<u>Funding of Expenditures:</u>				
General Fund (01)	\$0	\$0	\$0	\$0
Other - Proprietary	\$93,000	\$0	\$93,000	\$0
TOTAL Funding of Exp.	\$93,000	\$0	\$93,000	\$0
<u>Revenues:</u>				
General Fund (01)	\$93,000	\$0	\$93,000	\$0
Other - Proprietary	\$114,700	\$0	\$114,700	\$0
TOTAL Revenues	\$207,700	\$0	\$207,700	\$0
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
General Fund (01)	\$93,000	\$0	\$93,000	\$0
Other - Proprietary	\$21,700	\$0	\$21,700	\$0

Mike Cuffe
Sponsor's Initials

Feb. 20, 2023
Date

[Signature]
Budget Director's Initials

2-17-23
Date