



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2027 Biennium

Bill#/Title: **HB0674.01: Revise code commissioner duties to include repealing unconstitutional policies from Montana code**

Primary Sponsor: Zooey Zephyr

Status: As Introduced

☐ Included in the Executive Budget      ☒ Needs to be included in HB 2      ☐ Significant Local Gov Impact  
☐ Significant Long-Term Impacts      ☐ Technical Concerns      ☐ Dedicated Revenue Form Attached

### FISCAL SUMMARY

	<u>FY 2026</u> <u>Difference</u>	<u>FY 2027</u> <u>Difference</u>	<u>FY 2028</u> <u>Difference</u>	<u>FY 2029</u> <u>Difference</u>
<b>Expenditures</b>				
General Fund (01)	\$0	\$7,308	\$0	\$3,763
<b>Revenues</b>				
General Fund (01)	\$0	\$0	\$0	\$0
<b>Net Impact</b>	<u>\$0</u>	<u>(\$7,308)</u>	<u>\$0</u>	<u>(\$3,763)</u>
<b>General Fund Balance</b>				

### Description of fiscal impact

HB 674 revises the duties of the Code Commissioner to add the requirement to the duties of the Code Commissioner to make recommendations to Legislative Counsel to eliminate laws that are not in effect due to a court determination that the law is facially unconstitutional. The fiscal impact to the Legislative Branch is \$7,308 in the 2027 Biennium.

### FISCAL ANALYSIS

#### Assumptions

#### Legislative Branch

1. SB 674 amends 1-11-204(1), MCA, add a requirement to the duties of the Code Commissioner to make a recommendation to Legislative Counsel to eliminate laws that are not in effect due to a court determination that the law is facially unconstitutional. The report and recommendations are due in November of each odd fiscal year before the legislative session. To establish this recommendation in FY 2027, it will take 80 hours of legal staff time for a total of \$6,194.
2. To maintain this requirement, it will take 40 hours at the cost of \$3,763 in each additional odd year. An inflationary rate of 1.5% was added for each fiscal year.
3. It is unknown how many bills are seeking to add to the duties of the Legislative Branch. The fiscal note of each bill is prepared based on the effect of each individual bill. However, when viewed as a package, the cumulative effect of passage of more than one bill would require additional analysis and may require additional resources for staffing and information technology support.

## Fiscal Analysis Table

	<u>FY 2026 Difference</u>	<u>FY 2027 Difference</u>	<u>FY 2028 Difference</u>	<u>FY 2029 Difference</u>
<b><u>Fiscal Impact</u></b>				
<b><u>Expenditures</u></b>				
Personal Services	\$0	\$7,308	\$0	\$3,763
<b>TOTAL Expenditures</b>	<b>\$0</b>	<b>\$7,308</b>	<b>\$0</b>	<b>\$3,763</b>
<b><u>Funding of Expenditures</u></b>				
General Fund (01)	\$0	\$7,308	\$0	\$3,763
<b>TOTAL Funding of Expenditures</b>	<b>\$0</b>	<b>\$7,308</b>	<b>\$0</b>	<b>\$3,763</b>
<b><u>Revenues</u></b>				
<b><u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures)</u></b>				
General Fund (01)	\$0	(\$7,308)	\$0	(\$3,763)

Sponsor's Initials

Date

3-3-25

Budget Director's Initials

3/1/2025

Date