



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2025 Biennium

Bill information:

HB0950 - Establish the Student and Administration Equality Act (Hopkins, Mike)

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>
Expenditures:				
General Fund	\$10,000	\$0	\$0	\$0
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	<u>(\$10,000)</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

Description of fiscal impact: HB 950 provides an appropriation of \$10,000 to the Office of the Commissioner of Higher Education for the 2025 biennium to notify public secondary institutions and support implementation of the bill.

FISCAL ANALYSIS

Assumptions:

1. The fiscal impact to the Montana University System would be difficult to quantify and could exceed the appropriation amount.
2. This bill would change the relationship between the institution and student from educational to adversarial. For example, this bill would give students the right to have attorneys present at hearings to represent them and not simply to advise them. By treating campus disciplinary hearings as adversarial, campuses will have to hire attorneys to both hear and conduct the cases, and campuses will likely incur significant costs to do so.
3. Section 3(2)(c) would require a live hearing. This fiscal note assumes a live hearing means an in-person hearing. Many campus hearings are currently conducted via Webex to make them more accessible to students

and witnesses, and under Title IX, a web hearing meets the requirements of a live hearing. Requiring all hearings to be in-person hearings would increase the cost and burden on the campus and students.

4. This bill would give a student access to the administrative file. This would implicate other students' privacy rights, and the campuses would incur additional costs to review the files, redact portions of the files as needed to comply with privacy laws, and to maintain separate copies of files (both unredacted and redacted).
5. This bill would require an institution to have separate individuals undertake each administrative and adjudicative role associated with a disciplinary hearing. Campuses will incur additional costs to hire individuals to meet this requirement.

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<u>Fiscal Impact:</u>				
<u>Expenditures:</u>				
Operating Expenses	\$10,000	\$0	\$0	\$0
TOTAL Expenditures	<u>\$10,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>Funding of Expenditures:</u>				
General Fund (01)	\$10,000	\$0	\$0	\$0
TOTAL Funding of Exp.	<u>\$10,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>Revenues:</u>				
General Fund (01)	\$0	\$0	\$0	\$0
TOTAL Revenues	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
General Fund (01)	(\$10,000)	\$0	\$0	\$0

<u>MH</u>	<u>3/30/23</u>		<u>3-29-23</u>
Sponsor's Initials	Date	Budget Director's Initials	Date