



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2025 Biennium

Bill information:

SB0044 - Revise laws pertaining to court administration of certain civil cases (Small, Jason D)

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 Difference</u>	<u>FY 2025 Difference</u>	<u>FY 2026 Difference</u>	<u>FY 2027 Difference</u>
Expenditures:				
General Fund	\$0	\$0	\$0	\$0
State Special Revenue	\$596,200	\$596,200	\$596,200	\$596,200
Revenue:				
General Fund	\$0	\$0	\$0	\$0
State Special Revenue	\$596,200	\$596,200	\$596,200	\$596,200
Net Impact-General Fund Balance:	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

Description of fiscal impact: SB 44 increases several fees collected by the Clerk of District Court and earmarks that money for a new "civil justice improvements account". Estimated fee revenue, and associated expenses, will be approximately \$600,000 annually.

FISCAL ANALYSIS

Assumptions:**Department of Revenue**

- To minimize the effect of COVID-19 on filing data, FY 2016 through FY 2020 were used to estimate fee revenue.
- Clerk of Court fees are currently remitted to the Department of Revenue for deposit into the general fund. There is a line item for the fee for commencement of actions and proceedings so accurate data is available for this fee.
- Average number of commencement of actions and proceedings over FY 2016 through FY 2020 were 8,595 per year. The \$60 additional fee, therefore, generates an expected \$515,700.
- The other fees adjusted by SB 44 are appearance fees, complaint in intervention, and foreign judgement fees.

5. Data for these fees was sourced from Lewis and Clark County and Missoula County and then scaled to population size to get average statewide expected revenues.
6. The average for the three fees in Lewis and Clark County for FY 2017 through FY 2020 is \$5,494. Scaled by the relative population of Lewis and Clark County yields a statewide expected revenue of \$85,000.
7. The average for the three fees in Missoula County for FY 2017 through FY 2020 is \$8,508. Scaled by the relative population of Missoula County yields a statewide expected revenue of \$76,000.
8. The average of these estimates (assumption 6 and 7) is \$80,500.
9. Total expected revenue for the civil justice improvements account is \$596,200.

Judicial Branch

10. SB 44 creates a civil justice improvement grant program and requires the Supreme Court Administrator to establish procedures for the distribution and accountability of the funds in the account. Funds in the account will need to be appropriated to the Judicial Branch in HB 2.

	<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>				
<u>Expenditures:</u>				
Grants	\$596,200	\$596,200	\$596,200	\$596,200
TOTAL Expenditures	<u>\$596,200</u>	<u>\$596,200</u>	<u>\$596,200</u>	<u>\$596,200</u>
<u>Funding of Expenditures:</u>				
General Fund (01)	\$0	\$0	\$0	\$0
State Special Revenue (02)	\$596,200	\$596,200	\$596,200	\$596,200
TOTAL Funding of Exp.	<u>\$596,200</u>	<u>\$596,200</u>	<u>\$596,200</u>	<u>\$596,200</u>
<u>Revenues:</u>				
General Fund (01)	\$0	\$0	\$0	\$0
State Special Revenue (02)	\$596,200	\$596,200	\$596,200	\$596,200
TOTAL Revenues	<u>\$596,200</u>	<u>\$596,200</u>	<u>\$596,200</u>	<u>\$596,200</u>
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
General Fund (01)	\$0	\$0	\$0	\$0
State Special Revenue (02)	\$0	\$0	\$0	\$0



 Sponsor's Initials

1-3-23

 Date



 Budget Director's Initials

12-22-22

 Date