

1 HOUSE JOINT RESOLUTION NO. 40

2 INTRODUCED BY K. SULLIVAN, K. ZOLNIKOV

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4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF
5 MONTANA REQUESTING AN INTERIM STUDY ON TRANSFERRING RESPONSIBILITY FOR PRODUCING
6 FISCAL NOTES FROM THE EXECUTIVE BRANCH TO THE LEGISLATIVE BRANCH; AND REQUIRING
7 THAT THE FINAL RESULTS OF THE STUDY BE REPORTED TO THE 70TH LEGISLATURE.
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9 WHEREAS, Title 5, chapter 4, part 2, governs the production of fiscal notes for legislative bills; and

10 WHEREAS, section 5-4-201, MCA, provides that "[a]ll bills reported out of a committee of the
11 legislature having an effect on the revenues, expenditures, or fiscal liability of the state or of a county or
12 municipality, except appropriation measures carrying specific dollar amounts, shall include a fiscal note
13 incorporating an estimate of such effect. Fiscal notes shall be requested by the presiding officer of either house,
14 who shall determine the need for the note at the time of introduction"; and

15 WHEREAS, section 5-4-203, MCA, provides that "[t]he budget director, in cooperation with the state or
16 local agencies or officials or organizations representing local agencies or officials affected by the bill, is
17 responsible for the preparation of the fiscal note and shall return same within 6 days"; and

18 WHEREAS, in several other states, the legislative fiscal analyst and staff are responsible for providing
19 fiscal notes on all proposed legislation.
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21 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF
22 THE STATE OF MONTANA:

23 That the Legislative Council be requested to designate an appropriate interim committee or statutory
24 committee, pursuant to section 5-5-217, MCA, to study the benefits and drawbacks of transferring responsibility
25 for producing fiscal notes from the executive branch to the legislative branch.

26 BE IT FURTHER RESOLVED, that the Legislative Services Division may provide administrative,
27 research, and legal support. The Legislative Fiscal Division may provide additional research and fiscal analysis.

28 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review

1 requirements, be concluded prior to September 15, 2026.

2 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,
3 comments, or recommendations of the appropriate committee, be reported to the 70th Legislature.

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