



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2025 Biennium

Bill information:	
HB0525 - Enhance penalties for certain sexual crimes (Regier, Amy)	
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			----- unknown -----	
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	=====	=====	=====	=====

Description of fiscal impact: HB 525 bill provides that the sentence for the new crime of sexual assault by a provider of psychotherapy services upon a client cannot be deferred or suspended for the first 2 years. Finally, the bill includes this new criminal act as a part of the definition of a 'sexual offense' for which a convicted offender would have to register as a sexual offender. The Department of Corrections (DoC) will have a fiscal impact if an individual is sentenced under this new law. The change from a misdemeanor to a felony will increase the complexity of some cases the Office of Public Defender handles thus increasing the costs.

FISCAL ANALYSIS

Assumptions:

Department of Corrections (DoC)

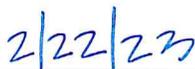
1. HB 625 creates is a new provision. The department does not have data on how many people could be incarcerated under these changes.
2. The DoC is unable to determine if or how often individuals would be charged under the new statute.
3. The average daily cost of secure care facilities in Montana is \$109.74, or \$40,055 per year. This cost would be incurred if an individual were sentenced under this law.

Office of Public Defender (OPD)

4. Under current law offenders are charged with misdemeanor sexual assault under 45-5-502(2)(a)-(c), MCA. The new language in 45-5-502(4), MCA, will elevate a standard misdemeanor sexual assault to a felony assault if it occurs during a psychotherapy relationship. That would change the case in the OPD case weights from a 10 weight to a 50 weight, which could mean an additional 40 hours at \$71/hour, or \$2,840 per case. There is no way to estimate the number of cases.



Sponsor's Initials



Date



Budget Director's Initials



Date