



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2027 Biennium

Bill#/Title: **HB0268: Generally revise notification requirements related to the registration of sexual and violent offenders**

Primary Sponsor: Curtis Schomer 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 Difference</u> | <u>FY 2027 Difference</u> | <u>FY 2028 Difference</u> | <u>FY 2029 Difference</u> |
|-----------------------------|-------------------------------|-------------------------------|-------------------------------|-------------------------------|
| Expenditures | | | | |
| General Fund (01) | \$0 | \$0 | \$0 | \$0 |
| Revenues | | | | |
| General Fund (01) | \$0 | \$0 | \$0 | \$0 |
| Net Impact | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |
| General Fund Balance | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |

Description of fiscal impact

HB 268 generally revises laws related to sexual and violent offender registration and would have no fiscal impact to the state.

FISCAL ANALYSIS

Assumptions

Department of Justice

- Section 1 (2)(c) addresses Department of Justice's duty to remove an offender from the violent offender registry. DOJ has staff in place that would provide this service.
- Other matters contained within this bill places responsibility on the courts.
- The attorney assigned to the Sexual of Violent Offender Registry (SVOR) unit may assist county attorneys, but that impact is anticipated to be a minimal impact.


Judiciary

- Section 46-23-506, (3), MCA, states that at any time after 10 years of registration for a level 1 sexual offender and at any time after 25 years of registration for a level 2 sexual offender, an offender may petition the sentencing court or the district court for the judicial district in which the offender resides for an order relieving the offender of the duty to register.
- The petition must be served on the county attorney in the county where the petition is filed.
- Currently, prior to a hearing on the petition, the county attorney mails a copy of the petition to the victim of the last offense for which the offender was convicted if the victim's address is reasonably available.
- HB268 would require that the petition also be mailed to the attorney general's office.
- The new requirement would not have any fiscal impact on the Judicial Branch

Effect on County or Other Local Revenues or Expenditures

MACO

1. RHB 268 requires County Attorneys to mail notification. The frequency of these occurrences and cost of mailing should be minimal.
2. Additional time to review petitions by the County Attorney office will not require additional staff.



Sponsor's Initials

1-27-25

Date



Budget Director's Initials

1/26/2025

Date