



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2023 Biennium

Bill # HB0136

Title: Establish pain-capable unborn child protection act

Primary Sponsor: Sheldon-Galloway, Lola

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 2022</u> <u>Difference</u>	<u>FY 2023</u> <u>Difference</u>	<u>FY 2024</u> <u>Difference</u>	<u>FY 2025</u> <u>Difference</u>
Expenditures:				
General Fund	\$0	\$0	\$0	\$0
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

Description of fiscal impact: HB 136 does not directly change responsibilities or requirements for state agencies. As a result, this bill has no fiscal impact to the state.

FISCAL ANALYSIS

Assumptions:

Judicial Branch

1. This bill adopts the Montana Pain-Capable Unborn Child Protection Act; prohibits the abortion of an unborn child capable of feeling pain; and provides definitions, penalties and civil remedies.
2. New Section 4 of this bill creates a new felony crime. New Section 5 of the bill creates a new civil cause.
3. The number of district court cases may increase as a result of this legislation; however, the Judicial Branch is unable to estimate the impact on judicial workload or the fiscal impact. The cumulative impact of such legislation may eventually require additional judicial resources because the court dockets currently are full in many judicial districts throughout the state.

Department of Public Health and Human Services (DPHHS)

4. There are no new requirements for the DPHHS.

Department of Justice (DOJ)

5. There is no impact on DOJ.

