

## Legislative Impacts Summary

Affected Department	HB/SB	General Description	Impact
Fiscal	HB124	Entitlement	Increased Entitlement from 1.85% back to the 3%. Last years amount was \$145,815. This year's amount is \$292,005.
Recreation	SB 24	Would increase the optional light motor vehicle registration fee from \$6 to \$9. Provides increased funding for state parks operations and maintenance, fishing access sites, and create a new made in Montana trails grant program. Passed Senate March 12. Passed the House April 16. <u>Signed by the Governor May 1.</u>	Potential funding source for trails.
Parks	HB 325	Would not allow local governments to regulate the carrying of concealed weapons and revising prohibited places for concealed weapons. Passed House February 21. Passed Senate April 2. <u>Vetoed by the Governor May 3.</u>	Local control issue.
Legal	HJ 0035	Interim study of state and local tax policy - This House Joint resolution calls for an interim study of Montana's state and local tax structure and policy by the Revenue Interim Committee (previously Revenue and Transportation Interim Committee). The 2019 Legislature has not yet announced committee appointments or study assignments for the interim.	This may end up having some impact on TIF and entitlement share during the next session.
Legal	HB 46	Eliminate or revise MCA references to Article II, section 36, of MT Constitution - Modifies expungement language, requires prosecution to "attempt" to notify victim of the offense.	Removed Marsy's Law mandates; and allows for attempts to notify the victim rather than mandatory notification.
Legal	HB 47	Generally revise criminal records laws - modifies expungement language; modifies photo or fingerprinting for misdemeanor. Offenses	Clarifies and simplifies expungement proceedings, and allows for attempt to notify.
Legal	HB 0110	Generally revise pretrial diversion laws - Mental Health Court	Could impact the functionality of Mental Health Court.
Legal	HB 117	Revise laws relating to eligibility for public defender services - allows OPD to move to rescind when client fails to provide financial docs	Less OPD representation may slightly decrease workload and increase efficiency.
Legal	HB 0155	Generally revise Montana weapons laws - This bill removes remaining restrictions on the carrying of switchblades and other knives. The League worked with MACO and the sponsor to retain the authority of local governments to regulate the carrying of knives on public property and within public buildings.	Impacts OCCGF weapons provision.
Legal	HB 173	Revise consent laws for elementary or high school students in a school setting - modifies definition of consent for sex crimes to prohibit teacher to student sexual contact.	Could result in an increase in misdemeanor criminal charges.
Legal	HB 192	Revise laws related to privacy in communications - removes prima facie evidence provision; expands on current law.	Increases the burden on prosecutors.
Legal	HB 0217	Remove suspension of driver's license as punishment for certain crimes - This bill would prohibit judges from suspending driver's licenses for nonpayment of fines, fees, or restitution. The bill has an immediate effective date and applies retroactively, allowing anyone whose driver's license is currently suspended to petition the court to reinstate the license. If the license was suspended solely for failure to pay fines, fees, or restitution, the court must reinstate the license and may not impose a reinstatement fee.	This already is having a significant impact on Court by requiring all Defendants who are out of compliance to be moved to compliance status.
Legal	HB 228	Revise privacy in communication law to reflect MT Supreme Court decision - Removes prima facie evidence provision and other language	Increases the burden on prosecutors.

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Legal	HB 233	Revise plea of guilty laws - Removes ability of defendant to appeal denial of motion to withdraw guilty plea in city or justice court to Montana Supreme Court.	No impact anticipated.
Legal	HB 257	Allow certain UAV information to be admissible - Allows UAV/drone use for accident investigations on public hwy's	This may make it easier for GFPD drone evidence to be admitted in certain circumstances.
Legal	HB 0325	Generally revise firearm laws - This bill as amended would prohibit local governments from regulating the carrying of permitted concealed weapons, and would limit local government regulation of open carry to only a publicly owned and occupied building. State law would still prohibit the carrying of permitted concealed weapons in portions of a building used for local government offices. The bill would also prohibit local governments from regulating in the area of firearms, generally, removing the language in the statute that the City of Missoula relied on to pass a universal background check ordinance. The League, MACo, the Montana School Boards Association, the School Administrators of Montana, and the Montana Federation of Public Employees requested the Governor issue and amendatory veto retaining the ability of local governments and schools to regulate the carrying of concealed and open weapons to public assemblies, public parks, and public schools. The Governor issued a full veto of the bill, which will automatically put its referendum companion bill on the ballot in the fall of 2020.	No impact yet.
Legal	HB 0357	- This bill as amended would place a referendum to the voters to decide whether to prohibit local governments from regulating the carrying of permitted concealed weapons, and would limit local government regulation of open carry to only a "publicly owned and occupied building." We could no longer regulate open carry at public assemblies or in parks. State law would still prohibit the carrying of permitted concealed weapons in portions of a building used for local government offices. Because the Governor vetoed the companion bill, HB 325, this referendum will go to the ballot in the fall of 2020.	
Legal	HB 421	Generally revise criminal code - makes first offense of theft jailable if emergency exit is used; makes first offense of disorderly conduct jailable if "articulable safety risk".	This will likely increase prosecutor work load.
Legal	HB 0439	Revise laws related to misrepresented service animals - This bill does several things: Defines service animal the same as in the ADA (dogs and miniature horses); this brings the Montana Human Rights Act and in line with the ADA, fixing a potential loophole in Montana law with respect to service animals. If a business suspects a person is fraudulently misrepresenting a service animal, the business may call local law enforcement to investigate it. If local law enforcement is called to investigate, it must provide written results of the investigation to the business where the complaint was made. The bill makes misrepresentation of a service animal a misdemeanor. codified in the Human Rights Act, but requires that the person charged must have previously been given a written warning that it is illegal to intentionally misrepresent a service animal. This may be difficult for local law enforcements to track in order to issue a misdemeanor. citation.	This will be a very complicated issue for law enforcement. Could increase prosecutor work load with applicable cases

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Legal	HB 543	Revise laws related to misdemeanor expungement - Repeals and replaces misdemeanor expungement law to clarify venue, standards and procedure	Helpful clarification for prosecutors.
Legal	HB 0636	Revise laws related to protested taxes - This bill allows local governments to use the taxes on 75% of assessed value of centrally assessed or industrial property taxes protested by the owner. If the final determination of the protest finds that the Department of Revenue's original assessed value was off by more than 75%, the state has to repay the local taxing jurisdictions for the difference.	Indirectly affects department because of general fund monies availability (Calumet Appeal).
Legal	HB 749	Generally revise human trafficking laws - Creates requirement for "conspicuous display" of massage therapy license, allows police to inspect. Appropriation for human trafficking agents in DOJ.	Could increase prosecutor work load with applicable cases.
Legal	SB 26	Remove requirement for court to pay travel costs for prosecution witnesses - CAO or AGO pays pros. witness fees	Could increase prosecutor work load.
Legal	SB 43	Allow omnibus hearings to be conducted remotely -Telephonic hearing allowed.	This will increase Court efficiency; however prosecutors will still need to attend.
Legal	SB 114	Generally revise stalking and orders of protection laws - Rewrites Stalking statute, new definitions, and penalties classifications.	Could result in an increase in misdemeanor stalking charges.
Legal	SB 132	Creating a student safety accountability act - Creates misdemeanor offense for school district assisting former employee who was engaged in sexual misconduct in getting new job	Could increase prosecutor work load.
Legal	SB 147	Revising laws concerning human trafficking and sex crimes to protect victims - Prohibits sexual conduct with human trafficking victim, outlaws sexual contact for money, changes penalties for some trafficking statutes	This will likely increase prosecutor work load.
Legal	SB 0200	Provide for equal classification of homes on a foundation - Code Enforcement application	May complicate building code enforcement issues.
Legal	SB 220	Generally revise probation laws - Allows local gov't to privately contract for misdemeanor. probation services	If implemented, increase cost and staffing.
Legal	SB 261	Generally revise laws regarding sexual consent	If implemented, increase cost and staffing.
Legal	SB 320	Clarify laws regarding cost of care for animals seized - Revises standards and procedure for animal care hearings	Could increase prosecutor and animal shelter work load and costs.
Legal	SB 324	Revise definition of elder abuse - Creates new crime of elder abuse by "personal degradation"	Could increase prosecutor work load.
Library		The aid is calculated based on a per capita basis. In the 2017 Legislative session, HB 261 (which appropriates the state aid to libraries) was amended by the Senate Finance Committee to include revenue triggers which, if not met, would make HB 261 funding in FY2018 and FY 2019 void, but then continue the aid in future fiscal years.	Great Falls Public Library received \$28,216.93 for state aid in FY2017. Great Falls Public Library received \$0.00 in state aid for FY2018 and FY2019. No legislative action was taken on state aid for public libraries in the 2019 Legislative session and so the state aid will be reinstated in the amount of \$28,216 for FY2020.
Public Works	HB 473	BaRSAA funds - Bridge and Road Safety Accountability Act. Funded through motor fuel tax revenues.	program will remain as is.