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| GOBPP logo 3 small | Statutory Appropriation 2025 Biennium |

**17-1-508(2), MCA.**

Answer yes or no to each of the following subsections of 17-1-508(2) regarding statutory appropriation analysis in proposed legislation when preparing a fiscal note.

**Copy the table below into the fiscal note as the final assumption in the fiscal note.**

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| 1. 17-1-508, MCA, requires analysis of the statutory appropriation relative to the guidance in 17-1-508(3), MCA, to be published in the fiscal note. In reviewing and establishing statutory appropriations, the legislature shall consider the following guidelines. Answer yes or no to each of the following guidelines regarding the statutory appropriation: | | | |
|  |  | **YES** | **NO** |
|  | a. The money is from a continuing, reliable, and estimable source. |  |  |
|  | b. The use of the appropriation or the expenditure occurrence is predictable and reliable. |  |  |
|  | c. The authority exists elsewhere. |  |  |
|  | d. An alternative appropriation method is available, practical, or effective. |  |  |
|  | e. It appropriates state general fund money for purposes other than paying for emergency services. |  |  |
|  | f. The money is used for general purposes. |  |  |
|  | g. The legislature wishes to review expenditure and appropriation levels each biennium. |  |  |
|  | h. An expenditure cap and sunset date are excluded. |  |  |
| Comments: | | | |

**17-1-508. Review of statutory appropriations.** (1) Each biennium, the office of budget and program planning shall, in development of the executive budget, review and identify instances in which statutory appropriations in current law do not appear consistent with the guidelines set forth in subsection (2).

(2) The review of statutory appropriations must determine whether a statutory appropriation meets the requirements of [**17-7-502**](https://leg.mt.gov/bills/mca/title_0170/chapter_0070/part_0050/section_0020/0170-0070-0050-0020.html). Except as provided in [[**76-17-103**](https://leg.mt.gov/bills/mca/title_0760/chapter_0170/part_0010/section_0030/0760-0170-0010-0030.html),] [**77-1-108**](https://leg.mt.gov/bills/mca/title_0770/chapter_0010/part_0010/section_0080/0770-0010-0010-0080.html), and [**87-5-909**](https://leg.mt.gov/bills/mca/title_0870/chapter_0050/part_0090/section_0090/0870-0050-0090-0090.html), a statutory appropriation from a continuing and reliable source of revenue may not be used to fund administrative costs. In reviewing and establishing statutory appropriations, the legislature shall consider the following guidelines. A proposed or existing statutory appropriation may not be considered appropriate if:

(a) the money is from a continuing, reliable, and estimable source;

(b) the use of the appropriation or the expenditure occurrence is predictable and reliable;

(c) the authority exists elsewhere;

(d) an alternative appropriation method is available, practical, or effective;

(e) it appropriates state general fund money for purposes other than paying for emergency services;

(f) the money is used for general purposes;

(g) the legislature wishes to review expenditure and appropriation levels each biennium; and

(h) an expenditure cap and sunset date are excluded.

(3) The office of budget and program planning shall prepare a fiscal note for each piece of legislation that proposes to create or amend a statutory appropriation. It shall, consistent with the guidelines in this section, review each of these pieces of legislation. Its findings concerning the statutory appropriation must be contained in the fiscal note accompanying that legislation. *(Bracketed language in subsection (2) terminates June 30, 2027--sec. 10, Ch. 374, L. 2017.)*