

# BDR 40-905 SB 153

## EXECUTIVE AGENCY FISCAL NOTE

AGENCY'S ESTIMATES

Date Prepared: February 11, 2025

Agency Submitting: Department of Public Safety, Parole and Probation

Items of Revenue or Expense, or Both	Fiscal Year 2024-25	Fiscal Year 2025-26	Fiscal Year 2026-27	Effect on Future Biennia
Total	0	0	0	0

### Explanation

(Use Additional Sheets of Attachments, if required)

BDR 40-905 (SB153) revises provisions relating to certain crimes involving controlled substances. If someone sells, gives, trades or otherwise makes available fentanyl, which results in the death of the recipient, it can be charged as First-Degree Murder. Does not require proof that the drug was the sole cause of death but must be a primary cause. The bill becomes effective upon passage and approval.

The agency has reviewed the bill and determined that as this bill is creating a new crime in statute, any arrest and subsequent conviction would require additional pre-sentence investigation staff and supervision officers. The division does not possess the necessary data to estimate a number of convictions to determine whether the increase could be absorbed by existing staff or would require additional staff. Therefore, the total impact of this bill cannot be determined at this time. The agency reserves the right to go to the Interim Finance Committee for the future biennium should workload increases necessitate additional staffing.

Name Andy McCool

Title Administrative Services Officer III

### GOVERNOR'S OFFICE OF FINANCE COMMENTS

The agency's response appears reasonable.

Date Tuesday, February 11, 2025

Name Tiffany Greenameyer

Title Director - Governor's Finance Office