



**Date:** February 8, 2012  
**To:** Agency Fiscal Note Coordinators  
**From:** Michelle Weber, Team Leader, Budget Operations  
**Re:** Contingency Bill Fiscal Notes

This session the legislature may be considering a variety of bills that provide contingencies in the event legislation is not enacted by July 1 of an odd number year. This legislation is intended to provide authority and funding for certain activities to continue in the event a budget is not passed and signed into law. When developing the agency fiscal note in response to this type of legislation, the following should be applied:

1. The table should not reflect costs unless there are NEW costs to the state. Agencies are reminded that any costs identified should be relative to the forecast.
2. Existing costs should be discussed in the narrative of the fiscal note. For example, if the bill authorizes a program to continue, the costs of that program should be discussed in the narrative, but should not be reflected on the table if they are costs that would have occurred if a budget was enacted.
3. Since there is no way to predict how long it might be before a bill is enacted, cost estimates discussed in the narrative should be reflected in bi-weekly amounts.
4. Agencies should consult their shutdown plans as a guideline when completing the fiscal note. These plans should be used as a resource in identifying staffing levels to support the services identified within the proposed bill.
5. If the bill does not include appropriation language, agencies should work with authors to ensure that the necessary legal authority exists for funds to be available to support the activities of the bill in the event a budget bill is not enacted.
6. Agencies should consider any central service agency work that may be necessary to support the bill. If a central agency function (ex: payroll, accounting, technology support) would be necessary to support the work that would continue as a result of the bill, however, the central agency is not provided any authority or an open appropriation to continue those functions, you should note that within the fiscal note. Also, if the impacted central service agency was not assigned to the fiscal note, please let Mary Crosson and Michelle Weber at MMB know so that they can be added to the request.

Please contact your Executive Budget Officer with any questions.

Thank you!

cc: Brent Gustafson, Senate Lead Fiscal Analyst  
Bill Marx, House Chief Fiscal Analyst