

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0716-09
Bill No.: Truly Agreed to and Finally Passed CCS for HCS for SCS No. 2 for SB 155
Subject: Children and Minors; Family Services Division; Social Services Department
Type: Original
Date: May 25, 2005

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
General Revenue	(Less than \$100,000)	(Less than \$100,000)	(Less than \$100,000)
Total Estimated Net Effect on General Revenue Fund	(Less than \$100,000)	(Less than \$100,000)	(Less than \$100,000)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator** and **Office of Administration** assume this proposal would not fiscally impact their agencies.

Officials from the **Office of Attorney General** (AGO) assume that any potential costs arising from this proposal can be absorbed with existing resources.

Officials from the **Department of Social Services (DOS)** state in 2004, approximately 90 youth were committed to the Division of Youth Services (DYS) for a sexual offense. Additionally, some offenses characterized as "assaults" may have been "child abuse" offenses. The number of Child Abuse/Neglect (CA/N) reports involving youth committed to the DYS is unknown and the number of victims considered to be children or non-siblings is not currently available.

Further, only in cases where the minor offender was functioning within the role of child care provider, such as babysitter, when the abuse took place would a CA/N report be reviewed. It is unknown as to the number of DYS commitments who were performing a child care role when their offense was committed.

DYS states this proposal does not designate the entity responsible for tracking the whereabouts

ASSUMPTION (continued)

of minor victims in relation to the offender's residence. If DYS has a responsibility, the Division is not able to estimate the cost of enforcing the provision requiring the offender to not reside within 1,000 feet of the victim's home, school or child care facility. The Division is not able to estimate the cost of tracking the location of the victim until age 18.

The monthly reimbursement rate for a youth receiving foster care services is \$377.50 per month, or \$4,530 per year. The number of youth requiring an alternative placement under the provisions of this bill is unknown, but less than \$100,000.

<u>FISCAL IMPACT - State Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
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GENERAL REVENUE

<u>Costs - Department of Social Services</u>			
Program Costs	<u>(Less than</u> <u>\$100,000)</u>	<u>(Less than</u> <u>\$100,000)</u>	<u>(Less than</u> <u>\$100,000)</u>

ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>(Less than</u> <u>\$100,000)</u>	<u>(Less than</u> <u>\$100,000)</u>	<u>(Less than</u> <u>\$100,000)</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

The act modifies reporting requirements for child abuse and neglect. There are provisions for the division of family services to expunge the information from reports against mandatory reporters when the report was found to be malicious, for purposes of harassment, or in retaliation. Such information shall be expunged forty-five days after the conclusion of the investigation. The same expungement requirements shall apply to all other reports filed.

DESCRIPTION (continued)

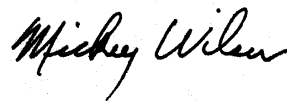
For reports filed by a mandatory reporter, where insufficient evidence of abuse or neglect is found by the division, the identifying information shall be retained for five years from the conclusion of the investigation. For all other reports where insufficient evidence of abuse or neglect is found by the division, identifying information shall be retained for two years from the conclusion of the investigation. At the end of the respective time period, the information shall be removed from the division and destroyed.

If a minor abuses another child, that minor cannot return to or reside in any residence within 1000 feet of the residence of the abused child, or any child care facility or school the abused child attends until the abused child is eighteen years old. These provisions do not apply if the abuse is between siblings.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of Attorney General
Department of Social Services
Office of Administration
Office of State Courts Administrator



Mickey Wilson, CPA
Director
May 25, 2005