

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4470-04
Bill No.: HCS for SCS for SB 878
Subject: Children and Minors; Department of Social Services; Law Enforcement Officers and Agencies
Type: Original
Date: April 13, 2006

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
General Revenue	\$0 or (\$16,600)	\$0 or (\$16,600)	\$0 or (\$16,600)
Total Estimated Net Effect on General Revenue Fund	\$0 or (\$16,600)	\$0 or (\$16,600)	\$0 or (\$16,600)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Elementary and Secondary Education, Department of Health and Senior Services, Department of Public Safety – Director’s Office, – Missouri State Highway Patrol,** and the **Missouri House of Representatives** assume the proposal would have no fiscal impact on their agencies.

In response to a previous version of the proposal (SCS for SB 878, LR # 4470-02), officials from the **Boone County Sheriff’s Department, Springfield Police Department,** and the **St. Louis Metropolitan Police Department** assumed the proposal would have no fiscal impact on their agencies.

Officials from the **Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on the courts.

Officials from the **Office of Prosecution Services** assume the proposal would not have a significant direct fiscal impact on county prosecutors.

ASSUMPTION (continued)

Officials from the **Office of the Secretary of State (SOS)** assume the proposal would give the Department of Health and Senior Services the authority to promulgate rules regarding childhood immunizations and the Department of Social Services the authority to promulgate rules regarding the Interstate Compact for Juveniles. These rules would be published in the Missouri Register and the Code of State Regulations. These rules could require as many as 30 pages in the Code of State Regulations and half again as many pages in the Missouri Register, as cost statements, fiscal notes, and the like are not repeated in the Code. The estimated cost of a page in the Missouri Register is \$23 and the estimated cost of a page in the Code of State Regulations is \$27. Based on these costs, the estimated cost of the proposal is \$1,845 in FY 07 and unknown in subsequent years. The actual cost could be more or less than the numbers given. The impact of this legislation in future years is unknown and depends upon the frequency and length of rules filed, amended, rescinded, or withdrawn.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which would require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

Interstate Compact for Juveniles – §§210.570, 210.580, 453.011

In response to a similar proposal from the current session (SB 1206, LR # 5331-01), officials from the **Office of the Governor, Office of Administration, Department of Corrections, Office of the Lieutenant Governor,** and the **Missouri Senate** assumed the proposal would have no fiscal impact on their agencies.

In response to a similar proposal from the current session (SB 1206, LR # 5331-01), officials from the **Office of the Attorney General** assumed any potential costs arising from this proposal can be absorbed within existing resources.

Officials from the **Department of Social Services – Division of Youth Services (DYS)** assume they would incur costs for the compact dues. Under the old compact, the dues were \$400. Under the new compact, the state's dues will be \$17,000. Therefore, the fiscal impact would be the increase in dues of \$16,600 annually.

ASSUMPTION (continued)

Oversight assumes the increase in the annual assessment is dependent on at least thirty five states enacting the compact into law. Therefore, Oversight has reflected the increase in the annual assessment as \$0 or \$16,600 per fiscal year.

Officials from the Office of the State Public Defender did not respond to Oversight's request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
GENERAL REVENUE FUND			
<u>Costs – Department of Social Services</u>			
Increased annual assessment	<u>\$0 or (\$16,600)</u>	<u>\$0 or (\$16,600)</u>	<u>\$0 or (\$16,600)</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>\$0 or (\$16,600)</u>	<u>\$0 or (\$16,600)</u>	<u>\$0 or (\$16,600)</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<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

Criminal Background Checks for Emergency Child Placements – §§161.181, 210.003, 210.145, 210.183, 210.482

The proposed legislation modifies provisions relating to criminal background checks when there has been an emergency placement of a child in a private home. Under current law, the criminal background check must be made within fifteen business days and there is an exception for conducting background checks for family members who are within the second degree of consanguinity of the child. The proposal provides that the criminal background check be made within fifteen calendar days and removes the family member exception.

Interstate Compact for Juveniles – §§210.570, 210.580, 453.011

The proposed legislation revises the Interstate Compact for Juveniles. The compact is an existing agreement between the states regarding the supervision and transfer of juvenile delinquents who have escaped from supervision to another state. Adoption of the revised compact makes Missouri a member of the Interstate Commission for Juveniles and requires the state to select a compact administrator to manage the state's transfer of those juveniles subject to the compact. The compact establishes the powers and duties of the interstate commission and specifies provisions regarding bylaws, corporate structure, rule-making authority, financing mechanism, a process for dispute resolution, and enforcement. The compact becomes effective August 28, 2006, or upon legislative enactment of the compact into law by no less than 35 states, whichever occurs later.

Termination of Parental Rights – §§210.565, 210.762, 211.319, 211.044

The proposal changes the laws regarding voluntary termination of parental rights. The proposal: (1) Specifies that whenever a child is placed in a foster home, a preference for placement with relatives will not apply if the parent has consented in writing to the termination of his or her parental rights; (2) Specifies that whenever a child is taken into custody by a juvenile officer or law enforcement official and initially placed with the Children's Division within the Department of Social Services, the requirement for a family support team meeting will not apply if the parent has consented in writing to the termination of his or her parental rights; (3) Specifies that some juvenile court proceedings and cases initiated by a juvenile officer or the division for the termination of parental rights will have a closed hearing if the parent has consented in writing to the termination of his or her parental rights; and (4) Adds child placing agencies to the list of interested parties who may petition the juvenile court to terminate parental rights.

DESCRIPTION continued)

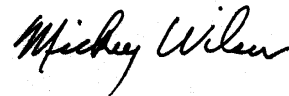
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the Governor
Office of Administration
Office of State Courts Administrator
Department of Corrections
Department of Social Services
Department of Public Safety
 – Missouri State Highway Patrol
Missouri House of Representatives
Office of the Lieutenant Governor
Missouri Senate
Office of the Secretary of State
Boone County Sheriff's Department
Springfield Police Department
St. Louis Metropolitan Police Department

NOT RESPONDING

Office of the State Public Defender



Mickey Wilson, CPA
Director
April 13, 2006