

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0266-02  
Bill No.: HCS for SB 25  
Subject: Children and Minors; Criminal Procedure; Social Services Department  
Type: Original  
Date: April 11, 2007

Bill Summary: This proposal prohibits closing a child abuse investigation if the child dies during the course of the investigation. Also, this proposal revises provisions relating to child support enforcement.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
General Revenue	(Unknown but Greater than \$100,000)	(Unknown but Greater than \$100,000)	(Unknown but Greater than \$100,000)
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>(Unknown but Greater than \$100,000)</b>	<b>(Unknown but Greater than \$100,000)</b>	<b>(Unknown but Greater than \$100,000)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 8 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Federal	\$0	\$0	\$0
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

\* Savings and reimbursements & costs of approximately unknown but greater than \$237,445 in FY08 and unknown but greater than \$265,000 in FY09 and FY10 would net to \$0.

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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## **FISCAL ANALYSIS**

### ASSUMPTION

Officials from the **Office of the Attorney General, Office of the State Courts Administrator, Department of Revenue, Department of Mental Health, Department of Public Safety** and the **Office of Administration** each assume the proposal would have no fiscal impact on their respective agencies.

Officials from the **Department of Social Services - Information Technology Services Division (ITSD)** assume revisions to the Missouri Automated Child Support System (MACSS) would be required. MACSS programmers will have to create a web site to allow gambling establishments to validate the most current child support arrears for a noncustodial parent by entering the social security number. To provide the most up-to-date arrearage information available, it will also be necessary to update a table every night after distributions are processed. ITSD assumes that only IV-D arrears would be reported and all of the arrearage for all of a noncustodial parent's cases would be rolled up into a single balance.

With regard to recovering the winnings to apply towards an non-custodial parent's arrearage due, the same process that is used to recover lottery winnings could be used. MACSS programmers will need to add a new payment source code with distribution rules.

Develop, code and test batch process to update, roll-up and store arrears data after daily distributions execute (using JCL, IEF, DB2): 40 hours. Develop, code and test web site to retrieve arrearage information by SSN (using CICS, WebAware, DB2). Includes database admin effort of 40 hours to create DB2 database for rolled up arrears and audit tracking : 265 hours. Includes Database Admin effort, and coding and testing effort. Develop, code and test audit tracking and reporting process (Generated COBOL, DB2): 40 hours. Create security groups and process initial security access (RACF-secured): 25 hours. Code and test for new payment source code with distribution rules: 40 hours

Total effort = 410 hours.

Due to relatively low level of effort, ITSD assumes all information technology work will be completed in-house.

Officials from the **Department of Social Services - Division of Medical Services (DMS)** assume the proposal would have a fiscal impact of unknown but greater than \$100,000.

ASSUMPTION (continued)

Officials from the **Department of Social Services - Family Support Division (FSD)** state the following:

The proposed section 313.818 will allow the Division to intercept past-due child support or state debt from gambling winnings. This legislation will require the Division to make policy and procedural changes, which can be implemented with existing staff.

The proposed amendment to section 454.511, RSMo will allow the Division to certify debts for passport denial at \$2,500 rather than \$5,000. This proposed amendment will also require the Division to make policy and procedural changes, which can be implemented with existing staff.

The proposed amendment to section 454.390, RSMo, which would clarify that the Division may open a corresponding case based on another state's request for assistance, will have no fiscal impact.

The proposed amendments to subsection 454.455.3, RSMo, which would clarify the Division's authority to collect current support for the original obligee when the caretaker relative no longer has physical custody of the child and to collect unpaid support due the state after terminating the change of payee, will have no fiscal impact.

The proposed amendments to the definitions in sections 454.440 and 454.460, RSMo, will have no fiscal impact.

The proposed amendments to section 454.470, RSMo, which would allow: 1) the Division to serve copies of its notice and finding upon the individual receiving child support enforcement services by regular mail if that person is also the person due support under the Division's notice and finding of financial responsibility; and 2) the Division to provide copies of support orders after entry to the parties to the order by regular mail will result in savings estimated at \$250,000 annually. The state's share of the savings would be \$85,000.

The proposed legislation to amend section 511.350, RSMo, which clarifies the court's authority to approve administrative modifications to court orders, will have no fiscal impact.

The repeal of sections 454.480 and 454.810, RSMo, will have no fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2008 (10 Mo.)	FY 2009	FY 2010
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**GENERAL REVENUE FUND**

Savings - Department of Social Services -  
 Family Support Division\*

Postage	\$70,805	\$85,000	\$85,000
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Costs - Department of Social Services -  
 Division of Medical Services\*

Program Costs	<u>(Unknown but Greater than \$100,000)</u>	<u>(Unknown but Greater than \$100,000)</u>	<u>(Unknown but Greater than \$100,000)</u>
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**ESTIMATED NET EFFECT ON  
 GENERAL REVENUE FUND**

	<u>(Unknown but Greater than \$100,000)</u>	<u>(Unknown but Greater than \$100,000)</u>	<u>(Unknown but Greater than \$100,000)</u>
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\*Oversight assumes costs will exceed savings and will still be unknown but greater than \$100,000.

**FEDERAL FUNDS**

Savings - Department of Social Services -  
 Family Support Division

Postage	\$137,445	\$165,000	\$165,000
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Savings - Department of Social Services -  
 Division of Medical Services

Federal Assistance	Unknown but Greater than \$100,000	Unknown but Greater than \$100,000	Unknown but Greater than \$100,000
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Costs - Department of Social Services -  
 Family Support Division

Reimburse Federal Government	(\$137,445)	(\$165,000)	(\$165,000)
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Costs - Department of Social Services -  
 Division of Medical Services

Program Costs	<u>(Unknown but Greater than \$100,000)</u>	<u>(Unknown but Greater than \$100,000)</u>	<u>(Unknown but Greater than \$100,000)</u>
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**ESTIMATED NET EFFECT ON  
 FEDERAL FUNDS**

<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
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FISCAL IMPACT - Local Government

FY 2008 (10 Mo.)	FY 2009	FY 2010
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<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
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FISCAL IMPACT - Small Business

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

## FISCAL DESCRIPTION

This legislation prohibits the Missouri Children's Division from closing a child abuse or neglect investigation if a child subject to the investigation dies during the course of the investigation, until such time as any separate investigation by the Division regarding the death is completed.

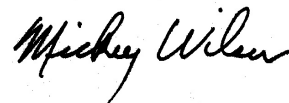
This legislation authorizes the Missouri Gaming Commission to intercept the excursion gambling boat winnings of individuals owing back child support. The excursion gambling boat must submit an individual's net winnings to the commission, and the commission will confirm whether the individual owes back child support before allowing the excursion gambling boat to withhold an individual's winnings. Excursion gambling boats are allowed a 2% reimbursement of the withheld amount for the costs of complying with the provisions of the legislation. The excursion gambling boat must give written notice to the individual stating the amount withheld, why an amount was withheld, and an explanation of the individual's procedural process rights but is not liable for disclosing information to the Family Support Division within the Department of Social Services, withholding gambling winnings, or any good faith actions. The excursion gambling boat will transfer the withheld amount to the Family Support Payment Center at the same time the taxes are transferred to the Internal Revenue Service.

A parent will be notified of their child support responsibility by the Department director if there is a current court order. Future child support payments will be computed following the rules established by the Missouri Supreme Court. Only a court of competent jurisdiction may approve an administrative agency to change a child support order judgment.

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 State Courts Administrator  
Department of Social Services  
Office of Administration  
Office of the Attorney General  
Department of Revenue  
Department of Public Safety  
Department of Mental Health



Mickey Wilson, CPA  
Director  
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