

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5552-03
Bill No.: HCS for HB 1758
Subject: Children and Minors; Domestic Relations; Family Law
Type: Original
Date: March 28, 2012

Bill Summary: This proposal allows any person having a parent/child relationship with a minor child who is not the biological or legal parent to petition the court for custody and visitation rights.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
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 2013	FY 2014	FY 2015
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Total Estimated Net Effect on FTE	0	0	0

- 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).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the State Courts Administrator** assume the proposal would not fiscally impact the courts.

Officials from the **Department of Social Services - Children's Division** and **Youth Services Division** each assume the proposal would not create a fiscal impact for their respective agencies.

In response to a similar proposal from 2011 (HB 417), officials from the **Department of Social Services - Division of Legal Services (DOS)** stated the Children's Division could be a third party respondent to these proceedings if the child is in the legal and physical custody of the Division. Some parties may argue that the statute would authorize a Court to assess attorney fees and costs against the Division if the Children's Division is a party. The exact amount although the exact amount of those costs are not ascertainable because the amount will depend on the number of these types of cases litigated in a year. DOS anticipates that there will be few cases of this type in which DOS is a party. The fiscal impact is unknown, probably less than \$100,000 per year.

Oversight assumes DOS will be able to absorb the fiscal impact of the proposal within existing resources and that the proposal would not create a fiscal impact to the state.

<u>FISCAL IMPACT - State Government</u>	FY 2013 (10 Mo.)	FY 2014	FY 2015
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2013 (10 Mo.)	FY 2014	FY 2015
	<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.

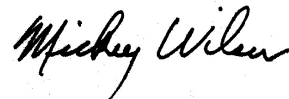
FISCAL DESCRIPTION

The proposed legislation appears to have no fiscal impact.

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



Mickey Wilson, CPA
Director
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