

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1371-05  
Bill No.: Truly Agreed To and Finally Passed CCS for HCS for SCS for SB 256  
Subject: Crimes and Punishment; Children and Minors  
Type: Original  
Date: June 4, 2013

Bill Summary: This proposal modifies provisions relating to the Safe Place for Newborns Act.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
<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 5 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>
	0	0	0
<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>			
<b>FUND AFFECTED</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Department of Social Services (DSS)** state section 160.2100, Erin's Law, has no impact on the DSS. The director of the department, or his or her designee, is already a member of the task force. No new duties are assigned to the members of the task force. The one new requirement in the proposal, the production of an annual report beginning January 1, 2014, is the responsibility of the Department of Elementary and Secondary Education.

Section 210.950 modifies provisions relating to the Safe Place for Newborns Act of 2002. There is a possibility of an increased number of infants entering the Children's Division's (CD) custody because the age requirement is increased from 5 days to 45 days. However, the number of additional children is not expected to be significant and the CD can absorb any cost with existing resources.

Section 211.447.2(2)(c) requires the Juvenile Officer or the CD to petition for termination of parental rights or, if such a petition has been filed by another party, seek to be joined as a party, when the parent has voluntarily relinquished a child under the Safe Place for Newborns Act. These provisions will have no fiscal impact on the DSS.

Section 595.220 requires that the Department of Public Safety establish rules regarding the reimbursement of costs of forensic examinations for children under 14 years of age, including establishing conditions and definitions for emergency and non emergency forensic examinations.

There is no fiscal impact to the CD in the drafting of rules by the Department of Public Safety; however, it is unknown whether Public Safety would write in rule additional conditions for reimbursement or qualifications for medical providers performing non emergency forensic examinations that could affect eligibility for reimbursement in some circumstances. It is assumed that these conditions would be reasonable and ensure better quality of forensic examinations. Therefore, the CD assumes there will be no fiscal impact.

Section 1 allows school districts and charter schools to provide high school students enrolled in health education at least 30 minutes of age and grade appropriate classroom instruction relative to the Safe Place for Newborns Act. The curriculum should include an explanation of the act; what relinquishment means; the process to be followed by a parent; and the general locations where an infant may be left in the care of certain people. This section is permissible (may), not mandatory (shall). The cost, if any, for the Division of Youth Services to pass this information on to its students would be minimal.

Officials from the **Department of Elementary and Secondary Education (DES)** state costs will likely be incurred to prepare the required report; however, costs are not expected to be significant and therefore, should be absorbable within current funding levels.

ASSUMPTION (continued)

Officials from the **Joint Committee on Administrative Rules (JCAR)** state the legislation is not anticipated to cause a fiscal impact to JCAR beyond its current appropriation.

Officials from the **Office of State Courts Administrator**, the **Department of Mental Health**, the **Department of Health and Senior Services**, the **Department of Revenue** and the **Department of Public Safety - Missouri State Highway Patrol** each assumed the proposal would not fiscally impact their respective agencies.

In response to an earlier version of this legislation, officials from the **Office of Secretary of State (SOS)** stated many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The Secretary of State's office is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500. The SOS recognizes this is a small amount and does not expect that additional funding would be required to meet these costs. However, it is also recognized that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain within its core budget.

Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

No school districts responded to **Oversight's** request for a statement of fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<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 direct 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 State Courts Administrator  
Department of Elementary and Secondary Education  
Department of Mental Health  
Department of Health and Senior Services  
Department of Revenue  
Department of Social Services  
Department of Public Safety -  
    Missouri State Highway Patrol  
Joint Committee on Administrative Rules  
Office of Secretary of State



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Acting Director  
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