

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1561-03  
Bill No.: Perfected SCS for SB 341  
Subject: Children and Minors; Social Services Department  
Type: Original  
Date: March 17, 2015

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Bill Summary: This proposal establishes procedures for reports of juveniles with problem sexual behavior.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>
<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 2016</b>	<b>FY 2017</b>	<b>FY 2018</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 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</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 the proposal will have no fiscal impact on the DSS. However, it will have an impact on the Information Technology Services Division (ITSD).

If the intent of this legislation is to utilize "Family Assessment and Services" as defined by section 210.110, there are services for a victim who has been abused by someone responsible for his or her care, custody or control.

This proposal would require changes to the Children's Division's (CD) Child Abuse or Neglect Hotline Unit system to screen and classify calls.

Current law, section 210.110 (1) as used in sections 210.109 to 210.165 defines "abuse" as any physical injury, sexual abuse, or emotional abuse inflicted on a child other than by accidental means by those responsible for the child's care, custody, and control, except that discipline including spanking, administered in a reasonable manner, shall not be construed to be abuse.

If the intent of this proposal is to use the term "sexual abuse" as defined in 210.110, this proposal would require the CD to conduct family assessments on families where a child under the age of 14 allegedly committed sexual abuse against a younger child in which he or she was responsible for the younger child's care, custody or control. Under this interpretation the only change to current statute would be that the CD would be using the family assessment approach rather than investigations in these cases, unless during the assessment it was determined an investigation was required. This would not create a significant impact to the CD.

This proposal would require changes to the Child Abuse and Neglect Hotline Unit screening and classification system.

In Fiscal Year (FY) 2013 there were 754 calls involving perpetrators less than 14 years of age. In 552 of those calls the reporter's concern triggered the use of a sexual maltreatment pathway. In FY 2014 there were a total of 1164 calls involving perpetrators under age 14 and 832 used sexual maltreatment pathways to screen and classify the call.

This proposal would require programmatic and procedural changes as well as changes to screening and classification of hotline calls. The CD believes these changes can be absorbed and will not create a fiscal impact to the Division.

This proposal is nearly identical to HB 713 with the exception of the word "younger" in the definition of "juvenile with problem sexual behavior". This change would open these provisions to the situation in which the victim is actually older than the perpetrator. The CD does not anticipate a fiscal impact as a result of this legislation.

ASSUMPTION (continued)

The **DSS, Division of Youth Services** does not anticipate any fiscal impact as a result of these changes.

The **DSS, Division of Legal Services (DLS)** will need to provide legal advice to the Children's Division to assist in implementing the legislation. This can be handled using existing resources.

Officials from the **Office of Administration (OA), Information Technology Services Division (ITSD)** state changes to the Children's Division's Child Abuse or Neglect Hotline Unit will be required. It is assumed that every new IT project/system will be bid out because all ITSD resources are at full capacity. It is assumed IT contract consultants will need 129.6 hours at \$75 per hour to complete the necessary changes. The total cost is estimated to be \$9,720 (129.6 hours X \$75), split 50/50 between General Revenue and federal funds (\$4,860 each).

**Oversight** assumes the minimal number of hours needed to make the necessary system changes for this proposal can be absorbed within current appropriation levels.

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

In response to the previous version of this proposal, officials from the **Office of the 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 SOS 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 that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes 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 with the 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.

**Oversight** assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process.

<u>FISCAL IMPACT - State Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
	<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.

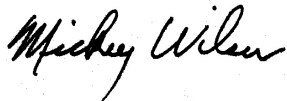
FISCAL DESCRIPTION

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

Department of Social Services -  
    Children's Division  
    Division of Youth Services  
    Division of Legal Services  
Office of Administration -  
    Information Technology Services Division  
Joint Committee on Administrative Rules  
Office of Secretary of State



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Director  
March 17, 2015

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March 17, 2015