

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4581-04  
Bill No.: Truly Agreed To and Finally Passed SCS for HCS for HB 1599  
Subject: Adoption; Vital Statistics; Children and Minors; Family Law  
Type: Original  
Date: June 2, 2016

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Bill Summary: This proposal establishes procedures for an adopted person to obtain a copy of his or her original birth certificate.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
General Revenue	(Up to \$49,226)	(Up to \$51,476)	(Up to \$52,012)
<b>Total Estimated Net Effect on General Revenue</b>	<b>(Up to \$49,226)</b>	<b>(Up to \$51,476)</b>	<b>(Up to \$52,012)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
MOPHS	Up to \$15,750	Up to \$18,900	Up to \$18,900
Children's Trust	Up to \$15,750	Up to \$18,900	Up to \$18,900
Endowed Cemetery	Up to \$3,150	Up to \$3,780	Up to \$3,780
<b>Total Estimated Net Effect on Other State Funds</b>	<b>Up to \$34,650</b>	<b>Up to \$41,580</b>	<b>Up to \$41,580</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 7 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</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 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>
General Revenue	1	1	1
<b>Total Estimated Net Effect on FTE</b>	<b>1</b>	<b>1</b>	<b>1</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 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Department of Health and Senior Services (DHSS)** state this proposal may duplicate another program in that the Department of Social Services maintains an Adoption Registry pursuant to section 453.121, RSMo. DHSS provides the following assumptions regarding this proposal:

#### **Section 193.128 - Missouri Adoptee Rights Act**

Based on current workload, inquiries and requests for copies of original birth certificates are expected to increase by approximately 3,780 requests annually (15 requests X 21-day average working days/ month X 12 months/year = 3,780 requests). There is currently one Senior Office Support Assistant-Keyboarding (SOSA) working on adoptions. Two additional SOSA positions (\$25,824 annually) would be needed to handle the additional requests, mail the contact preference and medical history forms, process completed forms by searching for the original birth record, file completed forms in sealed envelopes, file sealed envelopes for permanent retention at the State Records Center, and redact information from medical history forms and/or original birth certificates.

These positions would assist internal and external customers through written correspondence, in person, and over the telephone, primarily regarding adoptions, vital events and related matters. The staff person would travel to the State Records Center in Jefferson City to retrieve sealed envelopes. The staff would perform moderate to difficult clerical and technical functions involving a significant amount of public contact. Duties include processing documents related to births, including adoption decrees (domestic and foreign); legitimation affidavits; amending or creating new certificates as instructed by affidavit or court order; processing delayed applications; performing manual and computer searches; updating the system mainframe; and issuing uncertified copies in accordance with statutes. Standard expense and equipment costs are included for two clerical FTE. In addition, approximately \$1,852 would be needed for postage (3,780 requests times \$0.49/envelope).

The legislation also requires the State Registrar to develop a contact preference form and a medical history form to provide to the birth parent(s) for completion. The forms would be printed at an estimated cost of \$1,200 (30,000 copies of each form (2 forms X \$0.02 each)).

DHSS notes per Section 193.265, RSMo, the cost per birth certificate statement is \$15 to be distributed as follows: Children's Trust Fund - \$5; General Revenue (GR) - \$4; Endowed Cemetery Fund - \$1; and Missouri Public Health Services (MOPHS) - \$5. The increase in annual revenue is estimated at 3,780 requests X \$15 per request for a total of \$56,700 annually

ASSUMPTION (continued)

(\$47,250 for 10 months in FY 2017). Per section 193.265, RSMo, this revenue will be split between four funds (GR - \$12,600; Children's Trust Fund - \$15,750; Endowed Cemetery Fund - \$3,150; and MOPHS - \$15,750 for FY 2017).

This proposal also allows the state registrar to charge for the cost of a contact preference form (it is presumed that the adoptee will pay this fee for a completed form). The fee shall not exceed the cost of obtaining an original birth certificate (currently \$15, see above). The Bureau of Vital Records has approximately 208,000 sealed envelopes. The majority are sealed due to adoption. It is difficult to estimate (1) how many birth parents might request the forms or (2) the number of birth parents that will complete and return them to the department, and (3) the number of adult adoptees or his/her descendants that might request a search for these completed forms.

**Oversight** assumes, because the potential significant increase in the workload is speculative, that the DHSS could perform the additional duties with one FTE. If significant increases in the workload were experienced, additional FTE could be requested through future budget requests. In addition, since the potential increase in the workload is considered speculative, Oversight is presenting the revenues that could be received as a result of the increase in requests for birth certificates as "Up to" the amount provided by DHSS. Oversight assumes the DHSS does not need additional rental space for one FTE.

Officials from the **Office of the Secretary of State (SOS)** state 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.

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.

ASSUMPTION (continued)

Officials from the **Department of Social Services, Children’s Division** and the **Division of Legal Services** and the **Office of State Courts Administrator** each assume the proposal would not fiscally impact their respective agencies.

<u>FISCAL IMPACT - State Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
<b>GENERAL REVENUE FUND</b>			
<u>Income - DHSS (§193.128)</u>			
Birth certificate fees	Up to \$12,600	Up to \$15,120	Up to \$15,120
<u>Costs - DHSS (§193.128)</u>			
Personal service	(\$21,520)	(\$26,082)	(\$26,343)
Fringe benefits	(\$14,290)	(\$17,218)	(\$17,289)
Equipment and expense	<u>(\$13,416)</u>	<u>(\$8,176)</u>	<u>(\$8,380)</u>
Total <u>Costs - DHSS</u>	<u>(\$49,226)</u>	<u>(\$51,476)</u>	<u>(\$52,012)</u>
FTE Change - DHSS	1 FTE	1 FTE	1 FTE
<b>ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND</b>	<b><u>(Up to \$49,226)</u></b>	<b><u>(Up to \$51,476)</u></b>	<b><u>(Up to \$52,012)</u></b>
Estimated Net FTE Change on the General Revenue Fund	1 FTE	1 FTE	1 FTE
<b>MOPHS FUND</b>			
<u>Income - DHSS (§193.128)</u>			
Birth certificate fees	<u>Up to \$15,750</u>	<u>Up to \$18,900</u>	<u>Up to \$18,900</u>
<b>ESTIMATED NET EFFECT ON THE MOPHS FUND</b>	<b><u>Up to \$15,750</u></b>	<b><u>Up to \$18,900</u></b>	<b><u>Up to \$18,900</u></b>
<b>CHILDREN’S TRUST FUND</b>			
<u>Income - DHSS (§193.128)</u>			
Birth certificate fees	<u>Up to \$15,750</u>	<u>Up to \$18,900</u>	<u>Up to \$18,900</u>
<b>ESTIMATED NET EFFECT ON THE CHILDREN’S TRUST FUND</b>	<b><u>Up to \$15,750</u></b>	<b><u>Up to \$18,900</u></b>	<b><u>Up to \$18,900</u></b>

<u>FISCAL IMPACT - State Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
<b>ENDOWED CEMETERY FUND</b>			
<u>Income - DHSS (\$193,128)</u>			
Birth certificate fees	<u>Up to \$3,150</u>	<u>Up to \$3,780</u>	<u>Up to \$3,780</u>
<b>ESTIMATED NET EFFECT ON THE ENDOWED CEMETERY FUND</b>	<b><u>Up to \$3,150</u></b>	<b><u>Up to \$3,780</u></b>	<b><u>Up to \$3,780</u></b>
<u>FISCAL IMPACT - Local Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

This bill specifies that an adopted individual or his or her attorney may apply for an original copy of his or her birth certificate. The applicant must be at least 18 years of age; was born in this state; and provide appropriate proof of identification to the state registrar.

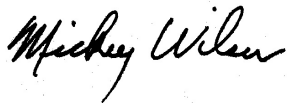
The state registrar may impose a waiting period and fee that are identical to the fees and waiting period for a non-adopted birth certificate request. The uncertified copy of the original birth must have the following statement printed on it: "For genealogical purposes only - not to be used for establishing identity".

The bill creates a contact preference form and medical history form to be completed by a birth parent and attached to the original birth certificate of the adopted person. The form shall be made available by the court and the clerk of the court must send the form and certificate of decree of adoption to the state registrar. The bill delineates processes to be followed for each form, when an adopted person is able to obtain a copy of a redacted original birth certificate, and when an adopted person is able to obtain an unaltered original birth certificate. The bill requires a public notification period that such forms exist, and prohibits the provision of original birth certificates under the provisions of the bill before May 1, 2017, unless the adopted person was born before 1941.

This legislation is not federally mandated but may duplicate another program. The legislation would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Health and Senior Services  
Department of Social Services -  
    Children's Division  
    Division of Legal Services  
Joint Committee on Administrative Rules  
Office of State Courts Administrator  
Office of Secretary of State



Mickey Wilson, CPA  
Director  
June 2, 2016

Ross Strobe  
Assistant Director  
June 2, 2016