

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5327-04
Bill No.: Perfected SS for SCS for SB 801
Subject: Attorneys; Children and Minors; Children's Division; Family Law; Guardians;
Department of Social Services
Type: Original
Date: April 19, 2016

Bill Summary: This proposal establishes the Supporting and Strengthening Families Act relating to guardianships.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Criminal Records	Unknown	Unknown	Unknown
Total Estimated Net Effect on <u>Other</u> State Funds	Unknown	Unknown	Unknown

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Total Estimated Net Effect on FTE	0	0	0

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

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Public Safety (DPS), Missouri State Highway Patrol (MHP)** state subsection 6 of section 475.602 requires a community service program that offers support services for families in crisis under this section to ensure that a fingerprint-based background check, a sex offender registry check and a child abuse and neglect registry check is completed for the attorney-in-fact and any adult members of his or her household prior to the placement of the child. Community service programs offering support services for families in crisis would be eligible to apply to the Missouri Volunteers and Employees Criminal History Service to obtain the state and federal fingerprint-based criminal background check. A check of the sex offender registry is included with a fingerprint-based background check through the central repository.

The Criminal Justice Information Services (CJIS) Division is unable to determine the expected number of fingerprint-based background checks to be completed on attorney-in-facts or any adult members of the household prior to the placement of the child. However, the cost for a fingerprint-based background check, to include state and federal open and closed records, is as follows:

State fee:	\$20.00
FBI fee:	\$14.75
Applicant fingerprinting vendor fee:	<u>\$ 8.30</u>
Total fee per applicant:	\$43.05

Of these amounts, the state retains the \$20 state fee and \$2 of the federal charge of \$14.75 for a pass thru fee. The \$8.30 charge is paid directly to the vendor at the time of application.

Once the anticipated number and type of background checks to be completed under this legislation has been determined, CJIS will be able to estimate the amount of funds to be deposited in the Criminal Records fund under this proposal.

Officials from the **Department of Social Services, Children's Division, Family Support Division, Division of Youth Services, MO HealthNet Division and Division of Legal Services** and the **Office of State Courts Administrator (OSCA)** each assume the proposal would not fiscally impact their respective agencies.

ASSUMPTION (continued)

Senate Amendment 1 and 2

Officials from the **DSS**, the **DPS-MHP** and the **OSCA** each assume the amendments would not fiscally impact their respective agencies.

In response to similar legislation from the current session (SB 979), the following responses were provided:

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

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 2017 (10 Mo.)	FY 2018	FY 2019
CRIMINAL RECORDS FUND			
<u>Income - MHP</u>			
Increase in background check fees	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
ESTIMATED NET EFFECT ON THE CRIMINAL RECORDS FUND	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>

FISCAL IMPACT - Local Government

FY 2017
(10 Mo.)

FY 2018

FY 2019

\$0

\$0

\$0

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

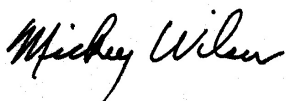
This act may be known as the "Supporting and Strengthening Families Act." It provides that during a child protective investigation if the child is at risk for possible removal the Children's Division shall provide information to the parent about community service programs that provide support services for families in crisis.

Community service programs for families in crisis must conduct a background check of an attorney-in-fact and any adult members of his or her household prior to the placement of the child.

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 Public Safety -
Missouri State Highway Patrol
Department of Social Services -
Children's Division
Family Support division
Division of Youth Services
MO HealthNet Division
Division of Legal Services
Joint Committee on Administrative Rules
Office of State Courts Administrator
Office of Secretary of State



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