

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2570S.02I
Bill No.: SB 665
Subject: Children and Minors; Courts; Family Law; Domestic Relations; Department of
Social Services; Children's Division; Courts, Juvenile
Type: Original
Date: April 25, 2023

Bill Summary: This proposal modifies provisions relating to child placement.

FISCAL SUMMARY

| ESTIMATED NET EFFECT ON GENERAL REVENUE FUND | | | |
|--|-------------------|--------------------|--------------------|
| FUND AFFECTED | FY 2024 | FY 2025 | FY 2026 |
| General Revenue | (\$99,710) | (\$116,945) | (\$118,127) |
| | | | |
| | | | |
| Total Estimated Net Effect on General Revenue | (\$99,710) | (\$116,945) | (\$118,127) |

| ESTIMATED NET EFFECT ON OTHER STATE FUNDS | | | |
|---|----------------|----------------|----------------|
| FUND AFFECTED | FY 2024 | FY 2025 | FY 2026 |
| | | | |
| | | | |
| Total Estimated Net Effect on <u>Other State Funds</u> | \$0 | \$0 | \$0 |

Numbers within parentheses: () indicate costs or losses.

| ESTIMATED NET EFFECT ON FEDERAL FUNDS | | | |
|---|----------------|----------------|----------------|
| FUND AFFECTED | FY 2024 | FY 2025 | FY 2026 |
| | | | |
| | | | |
| Total Estimated Net Effect on <u>All</u> Federal Funds | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE) | | | |
|---|----------------|----------------|----------------|
| FUND AFFECTED | FY 2024 | FY 2025 | FY 2026 |
| General Revenue | 1 FTE | 1 FTE | 1 FTE |
| | | | |
| Total Estimated Net Effect on FTE | 1 FTE | 1 FTE | 1 FTE |

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

| ESTIMATED NET EFFECT ON LOCAL FUNDS | | | |
|--|----------------|----------------|----------------|
| FUND AFFECTED | FY 2024 | FY 2025 | FY 2026 |
| | | | |
| Local Government | \$0 | \$0 | \$0 |

FISCAL ANALYSIS

ASSUMPTION

§§210.305 and 210.565 - Child placement provisions

Officials from the **Department of Social Services (DSS)** state this proposal modifies current law regarding diligent searches for grandparents or relatives when a child is removed from a home and is in need of placement. This act further defines what a diligent search for relatives shall entail and what notice should be provided to any relatives found of their rights to become a foster parent for the child. Relatives shall have 30 days to respond to a notice in order to have preferential placement in accordance with current law.

All diligent search efforts and placements shall be completed within 6 months of the child entering the custody of the state, unless the court determines otherwise by clear and convincing evidence. There shall be a preference of placement for a child to remain in a supportive foster family placement if the child has remained in that placement for a period of 6 months for a child under 3 years of age and 9 months for a child 3 years of age or older.

Finally, this act modifies preferential placement for relatives by removing the distinction between relatives in the third degree and other relatives and adding foster parents or kinship caregivers with whom a child has resided for 9 months or more in the definition of a relative.

Officials from the **DSS, Children's Division (CD)** state, currently, CD has extensive policy requirements for conducting diligent searches. The Children's Division does not anticipate a fiscal impact as a result of this legislation.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for DSS, CD.

Officials from the **DSS, Division of Legal Services (DLS)** state they anticipate the need for one (1) FTE attorney to represent and prepare CD staff when there is an allegation that the requirements of the statute regarding diligent search have not been met.

Oversight does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by DSS, DLS.

Officials from the **Office of State Courts Administrator (OSCA)** state there may be some impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

Oversight does not have any information to the contrary. Therefore, Oversight assumes the OSCA will be able to perform any additional duties required by this proposal with current staff and resources and will reflect no fiscal impact to the OSCA for fiscal note purposes. Oversight also assumes OSCA may seek additional appropriations if the proposal results in a significant increase in costs.

| <u>FISCAL IMPACT – State Government</u> | FY 2024 (10 Mo.) | FY 2025 | FY 2026 |
|--|---------------------|--------------------|--------------------|
| GENERAL REVENUE | | | |
| <u>Costs – DSS, DLS (§§210.305 and 210.565) p. 3</u> | | | |
| Personal service | (\$54,508) | (\$66,064) | (\$66,725) |
| Fringe benefits | (\$32,873) | (\$39,686) | (\$39,927) |
| Equipment and expense | (\$12,329) | (\$11,195) | (\$11,475) |
| Total Costs - DSS, DLS | (\$99,710) | (\$116,945) | (\$118,127) |
| FTE Changes | 1 FTE | 1 FTE | 1 FTE |
| ESTIMATED NET EFFECT ON GENERAL REVENUE | (\$99,710) | (\$116,945) | (\$118,127) |
| Estimated Net FTE Change on the General Revenue Fund | 1 FTE | 1 FTE | 1 FTE |

| <u>FISCAL IMPACT – Local Government</u> | FY 2024 (10 Mo.) | FY 2025 | FY 2026 |
|---|---------------------|------------|------------|
| | | | |
| | \$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

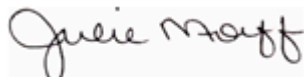
This act modifies current law regarding diligent searches for grandparents or relatives when a child is removed from a home and is need of placement. There shall be a preference of placement for a child to remain in a supportive foster family placement if the child has remained in that placement for a period of 6 months for a child under 3 years of age and 9 months for a child 3 years of age or older.

Finally, this act modifies preferential placement for relatives by removing the distinction between relatives in the third degree and other relatives and adding foster parents or kinship caregivers with whom a child has resided for 9 months or more in the definition of a relative (§§210.305 and 210.565).

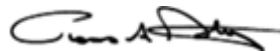
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements. It would require additional rental space.

SOURCES OF INFORMATION

Department of Social Services
Office of the State Courts Administrator



Julie Morff
Director
April 25, 2023



Ross Strobe
Assistant Director
April 25, 2023