

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0530-01
Bill No.: SB 135
Subject: Creates the Uniform Child Custody Jurisdiction and Enforcement Act.
Type: Original
Date: January 19, 2001

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
General Revenue	(Unknown)	(Unknown)	(Unknown)
Total Estimated Net Effect on <u>All</u> State Funds*	(Unknown)	(Unknown)	(Unknown)

* Unknown costs expected to exceed \$100,000 annually.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 4 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Social Services - Research & Evaluation Division (DOS)** state there is no change to the procedures in Chapter 211, RSMo, which deal with juvenile court, the Division of Family Services, and the Division of Youth Services custody. As a result, the DOS state they do not believe the proposed legislation will fiscally impact their organization.

Officials from the **Office of State Courts Administrator (CTS)** stated the proposed legislation would revise the Uniform Child Custody Jurisdiction Act, replacing current law with new language. The CTS officials state that because of problems with interpretation of this bill, and the ramifications of possible adoption by Missouri only, and the subsequent differences between Missouri law and that of other states, they are unable to provide a cost estimate at this time. The CTS officials added that the language of the statute would open these cases up to consideration of visitation issues. This could result in a significant workload increase for the courts and a significant fiscal impact. The CTS officials state they have no way of estimating the impact at this time.

Officials from the **Attorney General's Office (AGO)** did not respond to our request for a fiscal impact statement. However, in response to a similar proposal from the prior session (SB 603), officials from the AGO assumed the proposed legislation will not fiscally impact their organization.

Oversight assumes that the duties for the court system will increase should this proposal be enacted. The fiscal impact cannot be exactly determined based on the information supplied by the CTS. However, Oversight assumes the unknown cost of this proposal is expected to be in excess of \$100,000 annually. This unknown effect is chargeable to the General Revenue Fund.

ASSUMPTION (continued)

HW-C:LR:OD (12/00)

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
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GENERAL REVENUE FUND

Costs - State Courts System

Personnel Costs, Communication Expenses, Investigative Expenses, Witness Expenses, Travel Expenses, and Child Care Expenses	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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ESTIMATED NET EFFECT ON GENERAL REVENUE FUND*	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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* Unknown costs expected to exceed \$100,000 annually.

<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	\$0	\$0	\$0

FISCAL IMPACT - Small Business

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

DESCRIPTION

This proposal repeals Missouri's Uniform Child Custody Jurisdiction Act and adopts the current version of the Uniform Child Custody Jurisdiction and Enforcement Act. The proposal does not govern adoption proceedings, proceedings pertaining to the authorization of emergency medical care for a child, or proceedings governed by the Indian Child Welfare Act. Courts are required to treat a foreign country as a state of the United States for purposes of applying the Uniform Child Custody Jurisdiction and Enforcement Act, except where the child custody law of the foreign country violates fundamental human rights principles. The proposal makes other various changes in the child custody statutes.

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

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Department of Social Services

NOT RESPONDING: Attorney General's Office

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is written in a cursive style with a large initial "J".

Jeanne Jarrett, CPA
Director

January 19, 2001