

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 2635-03  
Bill No.: Perfected SS for SB 687  
Subject: Crimes and Punishments: Children and Minors  
Type: Original  
Date: March 19, 2002

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
General Revenue	(\$23,895)	(\$28,052)	(\$28,894)
Criminal Record System	(\$4,167)	(\$5,000)	(\$5,000)
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>(\$28,062)</b>	<b>(\$33,052)</b>	<b>(\$33,894)</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
None			
<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 LOCAL FUNDS</b>			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 4 pages.

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## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Department of Health and Senior Services (DOH), Office of Prosecution Services** and the **State Public Defender** assume the proposed legislation would not fiscally impact their organizations.

Officials of the **Secretary of State (SOS)** stated that this proposal would modify various provisions relating to foster care. The Division of Family Services would promulgate rules to implement the proposal. Based on experience with other divisions, the rules, regulations and forms issued by the Division of Family Services could require as many as 36 pages in the *Code of State Regulations*. For any given rule, roughly half again as many pages are published in *Missouri Register* as in the *Code* because cost estimates and fiscal notes are not repeated in the *Code*. The estimated cost of a page in the *Missouri Register* is \$23. The estimated cost of a page in the *Code of State Regulations* is \$27. The estimated cost of publication in FY 2003 for this proposal is \$2,214. Actual cost could be more or less and costs in future years would depend upon frequency and length of rules filed, amended, rescinded or withdrawn.

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. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

Officials of **Department of Social Services - Division of Family Services** and the **Department of Health and Senior Services** noted that foster parents automatically registered for the Family Care Safety Registry would no longer pay to register. DOS forwards the five-dollar (\$5.00) fee to the Highway Patrol for background screening.

Officials of **Department of Social Services' Division of Youth Services** stated that the Division uses services of foster parents for some hard to place youths. The Division provides support services but does not provide formal training. Officials estimate cost of training at \$925 per family for twenty-seven (27) hours of training (Division of Family Services' cost for foster parent training). They note that the Division places twenty (20) or fewer persons in foster care each year. Assuming training would be provided via an arrangement with Division of Family Services, costs would be about \$19,500 per year.

Officials from the **Department of Social Services - Division of Family Services (DOS -DFS)** stated the proposed legislation would fiscally impact their organization due to the long term need to inform the public, especially women of child rearing years. The DFS would need additional funding to cover costs of producing, publishing, and distributing this legislated information on a regular basis. DOS officials stated that the cost to produce about 85,000 brochures annually

ASSUMPTION (continued)

would be \$7,735. DFS would distribute brochures to doctors offices, hospitals, clinics, WIC offices, all county offices of state agencies, county health agencies, colleges and universities and professional health and social service organizations across the state.

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
<b>GENERAL REVENUE FUND</b>			
<u>Cost</u> - Department of Social Services' Division of Youth Services			
Expense- Foster Parent Training	(\$16,250)	(\$20,085)	(\$20,688)
Equipment and Expense- Brochures	(\$7,735)	(\$7,967)	(\$8,206)
Total <u>Costs</u> - Department of Social Services	<u>(\$23,985)</u>	<u>(\$28,052)</u>	<u>(\$28,894)</u>
<b>ESTIMATED EFFECT ON GENERAL REVENUE FUND</b>	<b><u>(\$23,985)</u></b>	<b><u>(\$28,052)</u></b>	<b><u>(\$28,894)</u></b>
<b>CRIMINAL RECORD SYSTEM FUND</b>			
<u>Loss</u> - Fees from Family Safety Care Registry	(\$4,167)	(\$5,000)	(\$5,000)
<b>ESTIMATED NET EFFECT ON CRIMINAL RECORD SYSTEM FUND</b>	<b><u>(\$4,167)</u></b>	<b><u>(\$5,000)</u></b>	<b><u>(\$5,000)</u></b>
<u>FISCAL IMPACT - Local Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
	<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.

DESCRIPTION

This proposal, known as the "Safe Newborns Act of 2001", would protect a parent from prosecution of abandonment, for leaving a newborn, who is 5 days old or younger and has not  
DESCRIPTION (continued)

been physically abused, at a licensed medical facility. The medical facility must treat the child, if necessary. If the parent expresses no intent to return for the infant, the medical facility must contact the Division of Family Services, which would be required to take physical custody of the child.

The Division of Family Services would provide information and answer questions about the process established by this proposal on the statewide, toll-free telephone number maintained pursuant to section 210.145, RSMo. In addition, it would provide information by way of public service announcements, or by other ways to deliver information about the process.

This proposal would set out the rights and responsibilities of the state, its contractors and foster parents with regard to foster care services.

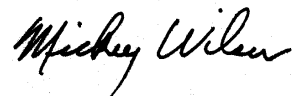
This proposal would automatically register any person licensed under terms of sections 210.481 to 210.565 (Homes for Children - Foster Homes - Child Placing Agencies - Licensing) in the Family Care Safety Registry.

This act would allow the Division of Family Services to make reasonable efforts when a child is abused by a person other than the parent and circumstances indicate the parent knew or should have known about it. Section 211.183, RSMo, currently defines "reasonable efforts" as reasonable diligence and care by the Division of Family Services to utilize all available resources to meet the needs of the juvenile and the family.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space. This legislation would affect Total State Revenue.

#### SOURCES OF INFORMATION

Department of Social Services  
Department of Health  
Office of Prosecution Services  
State Public Defender  
Secretary of State



Mickey Wilson, CPA  
Acting Director  
March 19, 2002