

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2275H.011
Bill No.: HB 1005
Subject: Children and Minors; Family Law; Children's Division; Courts
Type: Original
Date: March 15, 2023

Bill Summary: This proposal modifies provisions relating to the placement of a child with a grandparent or other relative.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
General Revenue	(\$110,937)	(\$127,386)	(\$128,672)
Total Estimated Net Effect on General Revenue	(\$110,937)	(\$127,386)	(\$128,672)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Total Estimated Net Effect on <u>Other</u> State Funds	\$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 - Grandparent or relative placement preferred in emergency placements

Officials from the **Department of Social Services (DSS)** state this proposal modifies provisions relating to the placement of a child with a grandparent or other relative.

§210.305.2 currently defines "Diligent search" as, an exhaustive effort to identify and locate the grandparents or relatives whose identity or location is unknown. This bill expands the definition of diligent search.

§210.305.5(2) requires the Children's Division to file with the court information regarding attempts made under this section within 30 days from the date the child was removed from his or her home, or as otherwise required by the court, and at each periodic review hearing.

§210.305.7 provides that if a grandparent or relative entitled to receive notice, fails to demonstrate an interest in and willingness to provide a permanent home for a child, within 6 months from the date he or she was notified, the court may excuse the Children's Division from considering the grandparent or relative as a placement.

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

Officials from the **DSS, Division of Legal Services (DLS)** state it is anticipated that DLS will need 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 the DSS, DLS.

Officials from the **Office of the State Courts Administrator** assume the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this agency.

<u>FISCAL IMPACT – State Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026
GENERAL REVENUE FUND			
<u>Costs – DSS/DLS (§210.305) p. 3</u>			
Personal service	(\$60,820)	(\$73,714)	(\$74,451)
Fringe benefits	(\$35,176)	(\$42,477)	(\$42,746)
Equipment and expense	(\$14,941)	(\$11,195)	(\$11,475)
Total Costs - DSS/DLS	(\$110,937)	(\$127,386)	(\$128,672)
FTE Changes	1 FTE	1 FTE	1 FTE
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	(\$110,937)	(\$127,386)	(\$128,672)
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

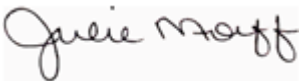
This bill specifies what a diligent search for a grandparent or other relative of a child removed from the custody of the parents must include. The bill requires the Children's Division within the Department of Social Services to file with the court information regarding any attempts made to search for relatives within 30 days from when the child was removed from their home.

Additionally, all relatives to the child ascertained in a diligent search, subject to exceptions that are specified in the bill, shall be provided with notice explaining that the child has been or is being removed from the parents' custody, the options and assistance available to the grandparents or relative, and the process for becoming a foster parent. Once notified, a relative has six months to demonstrate a willingness to provide a permanent home for the child, otherwise the court may excuse the Children's Division from considering the relative as a placement (§210.305).

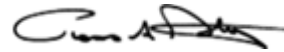
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements, but would require rental space.

SOURCES OF INFORMATION

Department of Social Services
Office of the State Courts Administrator



Julie Morff
Director
March 15, 2023



Ross Strobe
Assistant Director
March 15, 2023