

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 20, 2005

TO: Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: SB364 by Lucio (Relating to birth records of adopted children.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB364, As Introduced: an impact of \$0 through the biennium ending August 31, 2007.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2006	\$0
2007	\$0
2008	\$0
2009	\$0
2010	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain from <i>VITAL STATISTICS</i> <i>ACCOUNT</i> 19	Probable (Cost) from <i>VITAL STATISTICS</i> <i>ACCOUNT</i> 19	Change in Number of State Employees from FY 2005
2006	\$3,321	(\$162,611)	1.0
2007	\$3,321	(\$47,577)	1.0
2008	\$3,321	(\$47,577)	1.0
2009	\$3,321	(\$47,577)	1.0
2010	\$3,321	(\$47,577)	1.0

Fiscal Analysis

The bill would amend Chapter 192 of the Health and Safety Code and make changes related to birth records of adopted children. The Department State of Health Services (DSHS) indicates implementation of the bill would require new activities and resources on the part of the State Registrar of Vital Statistics including:

192.008(a) - a decrease in the number of changes which could be made to a supplemental birth certificate upon adoption, which DSHS indicates would result in increased services to the public and other state agencies, and the need to research fraud issues;

192.008(a-1) - issuance of Report of Adoption in lieu of supplemental birth certificate would require

resources to redact certificates of adoption;

192.008(f) -unseal original birth certificates for adoptees and their families without petitioning the adopting court in certain circumstances, which DSHS indicates would result in an increase in requests for birth certificates and an increase in applications to the adoption registry requiring research and redaction;

192.008(g) - seal the original birth certificate upon request of the birth parent, requiring sealed files to be located, flagged and updated with medical history;

and **192.0085** - accessing databases in order to provide information to adoptees in certain circumstances.

Methodology

DSHS anticipates that the number of requests for a noncertified copy of a birth certificate would double if the provisions of the bill specified in Section 192.008(f) were to be implemented. This would result in an increase in revenue of \$3,321 annually.

DSHS indicates additional staff resources are required to implement increased activities detailed in the fiscal analysis. Costs, including salary, benefits and operating expenses associated with adding 1 FTE are included in the cost estimate. The costs are assumed at 75% for fiscal year 2006.

The bill would authorize DSHS to collect a reasonable fee from birth parents to cover the costs of complying with Section 192.0085, relating to updated medical history and contact preference form. The costs associated with this section are estimated to be \$124,000 for the biennium (technology costs of \$100,000 described in the technology section and 25% of the costs of the FTE). Revenue gain is not included in the cost estimate, as the number of birth parents affected by this section is not known.

Technology

DSHS indicates software programming will be required to collect statistics, and to track medical updates and do-not-consent forms as required by Section 192.0085 as added by the bill. DSHS reports modifications to software would cost \$100,000 to pay the vendor who owns the source code. DSHS indicates modifications to the voluntary adoption registry webpage would be performed by contract programmers at a cost of \$20,000 and a desktop PC would be required for the contractor (\$903 - lease). All technology costs are included in fiscal year 2006 only.

Local Government Impact

DSHS indicates training for local registrars on the provisions of the bill would be done at conferences held throughout the year.

Source Agencies: 537 Department of State Health Services

LBB Staff: JOB, LB, PP, BW