

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**  
**Revision 1**

**April 18, 2007**

**TO:** Honorable David Swinford, Chair, House Committee on State Affairs

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

**IN RE: HB2684** by Chisum (Relating to marriage education courses for couples considering divorce and the waiting period for a divorce on the grounds of insupportability.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB2684, As Introduced: an impact of \$0 through the biennium ending August 31, 2009.

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

Section one of the bill would amend Family Code Subchapter E, Chapter 6 by adding Section 6.412. This section would encourage couples who file for a divorce on the grounds of insupportability to attend a crisis marriage education course of at least 10 hours to be completed within a 48-hour period. The bill would allow a variety of individuals and private organizations to provide the crisis marriage education course and charge any fee necessary. If a couple could not financially afford to pay for this course, Temporary Assistance for Needy Family funds would be used as a scholarship.

Section two of the bill would restrict a divorce court from granting a divorce decree on the grounds of insupportability for two years after suit had been filed unless the parties proved the completion of a crisis marriage education course, or a protective order had been issued against one of the parties by the other party.

The bill would take effect September 1, 2007.

**General Revenue-Related Funds, Five-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2008	\$0
2009	\$0
2010	\$0
2011	\$0
2012	\$0

**All Funds, Five-Year Impact:**

Fiscal Year	Probable (Cost) from <i>FEDERAL FUNDS</i> 555	Change in Number of State Employees from FY 2007
2008	(\$2,409,826)	1.0
2009	(\$4,844,404)	1.0
2010	(\$4,881,664)	1.0
2011	(\$4,917,844)	1.0
2012	(\$4,953,484)	1.0

## **Fiscal Analysis**

This fiscal impact results from 1) the requirement to provide scholarships to those unable to pay for the crisis marriage education course; 2) the Health and Human Services Commission (HHSC) program staff required to oversee the scholarship program, and 3) the contract for determining eligibility, tracking the scholarship payments, providing information and reporting, and verification that the courses provided meet applicable standards.

The Comptroller of Public Accounts states that because the degree to which the additional waiting period would affect the number of granted divorces is not known, the fiscal impact from a reduction in court fees generated from the filing of suits for the dissolution of a marriage cannot be estimated.

The cost to implement the bill is included above as Temporary Assistance for Needy Families (TANF) Federal Funding. However, if insufficient TANF funding is available, funding may need to be re-directed from existing programs or the program may not be implemented.

## **Methodology**

HHSC estimates the cost of the course to be approximately \$450 per person (10 hours x \$45 per hour). The number of low-income people who may be eligible for the scholarships is estimated as the number of divorces annually for people in poverty multiplied by a 50 percent participation rate; this results in the following number of people requiring financial assistance for fiscal years 2008-2012: 4,377, 8,824, 8,893, 8,960 and 9,026. The estimate for fiscal year 2008 assumes a phase-in due to time required to draft rules and develop the program. Multiplying the number of people times the cost per person results in a cost of \$2.0 million in fiscal year 2008, \$4.0 million in fiscal years 2009 through 2011, and \$4.1 million in fiscal year 2012.

HHSC estimates a need for one Program Specialist V per year. The cost of this FTE is assumed for one-half year in fiscal year 2008. All costs for this FTE are assumed to be less than \$80,000 per fiscal year.

The contracted services are estimated to cost approximately \$0.4 million in fiscal year 2008, and \$0.8 million in fiscal years 2009 through 2012.

## **Technology**

Seat management (included above) at a cost of \$905 per fiscal year would be required for the FTE at HHSC.

## **Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 304 Comptroller of Public Accounts, 529 Health and Human Services Commission

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