

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 21, 2009

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

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

IN RE: HB4426 by Hernandez (Relating to authorizing a suit to declare that certain young people have been abused, neglected, or abandoned and extending the jurisdiction of certain courts making such a declaration.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

This bill would amend the Family Code to allow a suit to declare that certain young adults have been abused, neglected or abandoned and extend the jurisdiction of certain courts. The bill would amend the Family Code to allow a court to declare that a person aged at least 18 and younger than 21 that has been abused, neglected or abandoned meets federal requirements for special immigrant status. Such an order would declare that the young adult is court-dependent, reunification with the parents is not possible due to abuse, and it is not in the young adult's best interest to be returned to the previous country of origin or residence. A court would retain jurisdiction over the young adult until the earliest of 1) the young adult's 21st birthday, 2) the date the young adult is granted legal permanent status and 3) the date an appeal of denial of an application for legal permanent status based on a petition for special immigrant juvenile status is denied. The Office of Court Administration reported no significant fiscal impact is anticipated due to these changes to the Family Code.

The bill would also amend Chapter 72 of the Government Code to require the Office of Court Administration to track the number of cases in which a young adult requests a court order relating to the young adult's special immigrant status and to collect select information about these cases. The Office of Court Administration reports that these requirements for additional data gathering can be met with existing agency resources. Therefore, no significant fiscal impact is anticipated.

Local Government Impact

According to the Office of Court Administration, the fiscal implication to court procedures and workload in local courts, vary depending on the number of such cases each court would handle; however it would not be significant.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 530 Family and Protective Services, Department of

LBB Staff: JOB, MN, CL, MH