

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 21, 2011

TO: Honorable Chris Harris, Chair, Senate Committee on Jurisprudence

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

IN RE: SB287 by Lucio (Relating to birth records of adopted children.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB287, As Introduced: a negative impact of (\$459,245) through the biennium ending August 31, 2013.

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
2012	(\$357,324)
2013	(\$101,921)
2014	(\$101,921)
2015	(\$101,921)
2016	(\$101,921)

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from General Revenue Fund 1	Change in Number of State Employees from FY 2011
2012	(\$357,324)	1.0
2013	(\$101,921)	1.0
2014	(\$101,921)	1.0
2015	(\$101,921)	1.0
2016	(\$101,921)	1.0

Fiscal Analysis

The bill would require the Department of State Health Services (DSHS) to provide, upon request, a noncertified copy of an adopted person's original birth certificate or a noncertified copy of a deceased adopted person's original birth certificate, under certain circumstances. The department can set and charge a reasonable fee for the birth certificate.

The bill would require DSHS to create a contact preference form and an updated medical history form that the birth parents would be asked to complete during the adoption process. DSHS would be required to deliver these forms along with each original birth certificate.

The bill would take effect September 1, 2011.

Methodology

Although DSHS is authorized to collect a reasonable fee for each birth certificate, no revenue increase is included in this estimate because the number of potential requestors is assumed to be very small for the five-year period. The bill applies only to adoptions on or after January 1, 2012, and the request for a certificate cannot be made until the adopted person's 18th birthday.

Costs for DSHS are estimated to be \$357,324 in General Revenue and All Funds for fiscal year 2012 and \$101,921 for each fiscal year thereafter. DSHS estimates that one full-time equivalent (FTE) per fiscal year would be needed to implement the provisions of the bill.

The Department of Family and Protective Services indicates that the bill would have no fiscal impact; caseworkers would inform birth parents of the forms and submit the forms in the course of their normal duties.

It is assumed that the (one hour minimum) post-adoption counseling required before release of a contact preference form for the adopted child and the biological parent will be provided at the individual's expense; if the state were to provide funds for counseling, this would be an additional cost.

Technology

DSHS indicates that implementation of the provisions of the bill would require changes to the Texas Electronic Registration (TER) system and the Document Repository System (DRS). These costs, estimated by DSHS to be approximately \$230,000 in fiscal year 2012, are included in the total cost above, along with system maintenance costs of \$35,500 per fiscal year for 2012-2016.

Local Government Impact

No significant fiscal implication to the court having jurisdiction is anticipated as a result of the requirement for a petition of adoption to include a copy of the birth parent's contact preference form or as a result of authority to waive the filing requirement.

Source Agencies: 530 Family and Protective Services, Department of, 537 State Health Services,
Department of

LBB Staff: JOB, JT, MB, VJC, NB