

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 15, 2013

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB44 by Zaffirini (Relating to maintaining and reporting certain information regarding certain child abuse or neglect cases.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB44, As Introduced: a negative impact of (\$2,357,227) through the biennium ending August 31, 2015.

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
2014	(\$2,357,227)
2015	\$0
2016	\$0
2017	\$0
2018	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund 1	Probable Savings/(Cost) from Federal Funds 555
2014	(\$2,357,227)	(\$290,333)
2015	\$0	\$0
2016	\$0	\$0
2017	\$0	\$0
2018	\$0	\$0

Fiscal Analysis

The bill would amend the Family Code to prohibit the Department of Family and Protective Services (DFPS) from listing on their child abuse and neglect registry individuals who voluntarily relinquish custody of mentally ill children so that the children may receive mental health

services. The bill provides a procedure for removal of persons listed on the registry for such reasons. The bill would also require DFPS to include in an annual report the number of children suffering from mental illness and for whom DFPS is named conservator following voluntary custody relinquishment so that the child could receive mental health services. The bill would take effect September 1, 2013.

Methodology

The Department of Family and Protective Services reported that the bill would result in a significant and ongoing fiscal impact to the agency. The agency estimated that the bill would have an All Funds impact in the upcoming biennium of \$89,774,484 and an ongoing annual impact in subsequent years of \$74,955,016. DFPS reported that the bill would result in a need for an additional 23.2 full-time-equivalent positions in fiscal year 2014 and 71.8 positions in fiscal year 2015. The fiscal impact reported by DFPS is based on the agency's assumption that registry exclusion of voluntarily relinquishing individuals will result in a major increase in the number of voluntary relinquishments of children needing mental health services.

This analysis assumes that potential registry placement is not a frequent or common reason for a person who would otherwise relinquish custody to DFPS to refrain from doing so, and that voluntary relinquishments will not substantially increase as a direct result of the bill. To the extent the changes in law may provide a previously nonexistent incentive for voluntary relinquishments, the bill may increase DFPS workload and the number of children in foster care, but it is assumed that any additional non-technology workload or costs resulting from the bill's provisions which exclude certain relinquishments from the registry will be insignificant and could be absorbed within existing agency resources.

DFPS also reported that the bill's provisions requiring distinction of children who have been voluntarily relinquished and the provisions requiring reporting on the number of certain voluntarily relinquished children will result in information technology costs. DFPS will need to modify the Information Management Protecting Adults and Children in Texas (IMPACT) system to be able to distinguish children who have been voluntarily relinquished to receive mental health services. Information technology costs in fiscal year 2014 of \$2,647,560 reflect initial one-time IMPACT programming changes necessary to implement the bill, and are included in the table above.

The Office of Court Administration does not anticipate any significant fiscal impact as a result of complying with the provisions of the bill.

Technology

DFPS reported that the bill's provisions requiring distinction of voluntarily relinquished children and requiring reporting on the number of certain voluntarily relinquished children will result in information technology costs, estimated to be \$2,647,560. These costs are included above.

Local Government Impact

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

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

LBB Staff: UP, CL, MB, AM, VJC, SJ