

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 18, 2013

TO: Honorable Royce West, Chair, Senate Committee On Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB352 by West (Relating to a visitation plan for certain children taken into possession by the Department of Family and Protective Services.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB352, As Introduced: a negative impact of (\$74,788,962) 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	(\$35,593,828)
2015	(\$39,195,134)
2016	(\$38,316,172)
2017	(\$38,316,172)
2018	(\$38,316,172)

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from General Revenue Fund 1	Probable (Cost) from GR Match For Medicaid 758	Probable (Cost) from Federal Funds 555	Change in Number of State Employees from FY 2013
2014	(\$35,291,158)	(\$302,670)	(\$5,088,171)	587.8
2015	(\$38,874,042)	(\$321,092)	(\$5,476,251)	728.3
2016	(\$38,002,549)	(\$313,623)	(\$5,353,938)	728.3
2017	(\$38,002,549)	(\$313,623)	(\$5,353,938)	728.3
2018	(\$38,002,549)	(\$313,623)	(\$5,353,938)	728.3

Fiscal Analysis

The bill would amend Chapters 262 and 263 of the Family Code, relating to a visitation plan for certain children taken into possession by the Department of Family and Protective Services (DFPS). The bill would require DFPS to ensure that a parent, managing conservator, guardian,

caretaker, or custodian of a child taken into conservatorship has an opportunity to visit the child within three days following the child's initial hearing, and at least twice weekly thereafter in certain cases. The bill would also require court review of the proposed DFPS visitation plan and modification of the plan as needed.

Methodology

DFPS has determined that an estimated 3,497 children meet the criteria outlined in the bill and would require one additional visit each week. Assuming each visit requires four hours of staff time and a typical caseworker has 130.8 hours to devote to casework each month, DFPS estimates it would require 463 new caseworker staff, to be phased in over the first six months of fiscal year 2014, to implement the provisions of the bill. DFPS would also require 251.3 FTEs to support the caseworkers, and the Health and Human Services Commission would require 14 FTEs for enterprise support services. Salary and fringe benefits associated with the FTEs total \$25.5 million in fiscal year 2014, and \$31.6 million in fiscal year 2015 forward. Other operating expenses, travel, utilities, rent and supplies are estimated to cost \$15.2 million in fiscal year 2014 and \$13.1 million in fiscal year 2015 forward. This includes the cost of a new car seat for caseworkers, at a cost of \$175 each, totaling \$81,025 in fiscal year 2014.

The Office of Court Administration indicates the provisions of the bill could be implemented within existing resources.

Technology

DFPS has indicated a technology cost of \$669,015 (included above) in each fiscal year for computer devices and software for the additional FTEs.

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, SJ, VJC, NB