

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 5, 2015

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB820 by Rodríguez (Relating to child custody evaluations and adoption evaluations conducted and testimony provided in certain suits affecting the parent-child relationship; providing penalties; creating an offense; authorizing fees.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB820, As Introduced: a negative impact of (\$3,802,400) through the biennium ending August 31, 2017.

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
2016	(\$1,901,200)
2017	(\$1,901,200)
2018	(\$1,901,200)
2019	(\$1,901,200)
2020	(\$1,901,200)

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from General Revenue Fund 1
2016	(\$1,901,200)
2017	(\$1,901,200)
2018	(\$1,901,200)
2019	(\$1,901,200)
2020	(\$1,901,200)

Fiscal Analysis

The bill amends Chapter 107 of the Family Code to establish certain qualifications for evaluators in child custody and adoption evaluations, as well as requirements for the evaluations. The bill also limits testimony relating to the conservatorship of or access to a child at issue in a suit to the

individual who conducted the child custody evaluation.

The bill requires the Board of Examiners of Psychologists (the Board) to adopt rules which specify that any complaint relating to the outcome of certain evaluations must be reported to the court instead of the Board.

The bill would go into effect on September 1st, 2015.

Methodology

The bill is estimated to result in a net fiscal cost of \$3,802,400 through the biennium and \$9,506,000 over five years.

The Department of Family and Protective Services (DFPS) estimates a fiscal impact due to the new minimum requirements for child custody evaluators. The average cost of an assessment is \$500. With the increased credential requirements in the bill, it is estimated that the contracted cost for assessments will increase for \$500 to \$700 per assessment. The \$200 increase is applied to an estimated 9,201 adoption readiness & kinship assessments. DFPS estimates that it will need to perform an additional 75 new assessments at the full cost of \$700 per assessment. The total cost is \$1,892,700 per fiscal year in General Revenue.

It is assumed that DFPS will incur no costs due to the portion of the bill which limits testimony in certain suits to the individual who has conducted the child custody evaluation. This is because the bill clarifies that DFPS is not subject to this limitation when it is a party in a suit.

The Board has indicated that the bill would eliminate complaints involving child custody and adoption evaluations due to the transfer of jurisdiction for complaints from the Board to the courts. The Board estimates that this will result in a reduction of \$8,500 in General Revenue per fiscal year in administrative penalties.

The Health and Human Services Commission and the Texas Medical Board anticipate no significant fiscal impact as a result of this bill. The Office of Court Administration anticipates no significant fiscal impact to the state court system resulting from this bill.

Local Government Impact

No significant fiscal implication to local courts is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 520 Board of Examiners of Psychologists, 530 Family and Protective Services, Department of, 503 Texas Medical Board, 529 Health and Human Services Commission

LBB Staff: UP, AG, MH, CG, ESi, CH