

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 14, 2017

TO: Honorable Richard Peña Raymond, Chair, House Committee on Human Services

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB205 by Keough (Relating to child protective services; requiring burden of proof; providing court appointed attorney.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB205, As Introduced: a negative impact of (\$2,946,090) through the biennium ending August 31, 2019.

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
2018	(\$1,522,329)
2019	(\$1,423,761)
2020	(\$1,423,761)
2021	(\$1,423,761)
2022	(\$1,423,761)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund 1	Probable Savings/(Cost) from Federal Funds 555	Change in Number of State Employees from FY 2017
2018	(\$1,522,329)	(\$169,148)	15.0
2019	(\$1,423,761)	(\$158,196)	15.0
2020	(\$1,423,761)	(\$158,196)	15.0
2021	(\$1,423,761)	(\$158,196)	15.0
2022	(\$1,423,761)	(\$158,196)	15.0

Fiscal Analysis

The bill would amend the Family Code to require an evidentiary hearing before a court may enter an order requiring a family member of a child involved in Child Protective Services (CPS) to participate in certain agency-provided services.

The bill would require the court to appoint a court appointed attorney in any related suit.

The bill would take effect immediately upon a two-thirds vote in each house, otherwise the bill would take effect September 1, 2017.

Methodology

This analysis assumes that the number of families participating in family preservation will remain constant from fiscal year 2016, and that ten percent of all participants involve a court order requiring an evidentiary hearing. Based on this assumption and the Department of Family and Protective Services (DFPS) estimate that it takes approximately 14 hours to prepare for each hearing, DFPS would require 15.0 additional full-time equivalent (FTE) positions in order to prepare for the additional evidentiary hearings. The analysis assumes that each additional FTE would cost approximately \$78,000 per fiscal year for related benefits and expenses, and approximately \$5,400 in fiscal year 2018 for one-time set up costs.

The actual cost of the provisions included in the bill could increase or decrease depending on the number of families required by the courts to participate in DFPS family preservation purchased services, and therefore require an evidentiary hearing.

The Office of Court Administration indicate they could absorb the costs associated with implementing the bill within their current resources.

Technology

The annual technology impact totals approximately \$1,600 per FTE each fiscal year beginning in fiscal year 2018 for related computer and data center services expenses.

Local Government Impact

According to Nacogdoches County, the bill would have a significant fiscal impact on the Juvenile Probation Department by increasing the caseload.

According to Montgomery County, the fiscal impact to the County is not anticipated to be significant.

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

LBB Staff: UP, KCA, EP, JLi, JGA, GDz