

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**March 29, 2017**

**TO:** Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2636** by Dutton (Relating to court-ordered financial support by parents of an adult with a medically determinable disability.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB2636, As Introduced: a negative impact of (\$4,989,880) 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	(\$520,242)
2019	(\$4,469,638)
2020	(\$301,125)
2021	(\$301,258)
2022	(\$301,258)

**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	(\$520,242)	(\$1,009,881)	12.0
2019	(\$4,469,638)	(\$8,676,356)	12.0
2020	(\$301,125)	(\$584,795)	12.0
2021	(\$301,258)	(\$584,795)	12.0
2022	(\$301,258)	(\$584,765)	12.0

**Fiscal Analysis**

The bill would amend Chapter 154, Child Support, of the Family Code to clarify that the chapter covers adult disabled children. The bill would limit court-ordered financial support to one year

and would require that the adult receive the financial support directly unless evidence is presented showing the person is not capable of managing his or her finances. An annual review would be necessary to determine if continued financial support is warranted. The bill would modify who is eligible to sue on behalf of the adult. The bill would prohibit an adult who is ineligible for a state or federal program providing services and financial support for adults with a medically determinable disability from receiving court-ordered financial support from his or her parents. In determining the appropriate amount of financial support, the court would be required to offset the amount the adult receives from any state or federal program providing services and financial support for adults with a medically determinable disability, and the court would be limited to awarding no more than the amount necessary to provide for the needs of the adult.

The bill would take effect September 1, 2017.

## **Methodology**

Under the provisions of the bill, financial support for an adult with disabilities would be ordered in one-year increments rather than indefinitely. This would require the Office of the Attorney General (OAG), at the end of each one-year period, to file a new motion with the court to request support be ordered for another year. This would create additional case monitoring requirements for the OAG.

OAG estimates first-year implementation technology costs of \$576,750 for Information Technology enhancements which would need to occur in TXCSES 1.0 (T1) and in the current redesign TXCSES 2.0 (T2). These updates would provide monitoring capabilities to flag cases annually for review. Additionally, these changes impact certain programming modules of T1 and T2. The changes to these modules would affect T1, T2, and Data Center Services (DCS) at an estimated cost of \$12,259,949 in FY 2019. It is assumed that these changes would will have an impact on the current schedule. The number of months past the current schedule would factor in as costs for the additional work.

OAG estimates that additional field staff would have to evaluate cases, obtain information, and file legal actions on these cases on an annual basis. The OAG's Child Support Division, who would handle these cases, anticipates it would take eight Child Support Officer (CSO) and four Assistant Attorney General (AAG) full-time equivalent positions (FTEs) to manage these cases. The cost for eight CSOs would be \$336,092 in fiscal year 2018 and each subsequent year for salary and benefits. The cost for four AAGs would be \$333,476 in fiscal year 2018 and each subsequent year for salary and benefits. An additional \$283,805 in other operating expenses (general operating costs, travel, payroll contribution, IT expenses, and equipment) would be need in fiscal year 2018, with \$216,485 in each subsequent fiscal year.

The estimated total cost to comply with the provisions of the bill would be \$1,530,123 in fiscal year 2018, \$13,145,994 in fiscal year 2019, and \$886,053 in subsequent fiscal years. As a part of the child support collections program under the Title IV-D of the Federal Social Security Act, the cost of operating the program is split, with the state assuming 34 percent and the federal government assuming 66 percent.

## **Technology**

Technology costs are estimated to be \$576,750 in fiscal year 2018 for programming services and \$12,259,949 in fiscal year 2019 for changes that would affect T1, T2, and Data Center Services (DCS).

## **Local Government Impact**

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

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General

**LBB Staff:** UP, FR, MW, PBO, RC, JSm