

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

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

**April 25, 2017**

**TO:** Honorable Charles Schwertner, Chair, Senate Committee on Health & Human Services

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

**IN RE: SB1415** by Hughes (Relating to certain procedures in suits affecting the parent-child relationship.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB1415, As Introduced: a negative impact of (\$17,964,299) 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	(\$9,212,417)
2019	(\$8,751,882)
2020	(\$8,751,882)
2021	(\$8,751,882)
2022	(\$8,751,882)

**All Funds, Five-Year Impact:**

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund <b>1</b>	Probable Savings/(Cost) from Federal Funds <b>555</b>	Probable Revenue Gain/(Loss) from General Revenue Fund <b>1</b>	Change in Number of State Employees from FY 2017
2018	(\$8,374,288)	(\$847,346)	(\$838,129)	56.8
2019	(\$7,913,753)	(\$796,599)	(\$838,129)	56.8
2020	(\$7,913,753)	(\$796,599)	(\$838,129)	56.8
2021	(\$7,913,753)	(\$796,599)	(\$838,129)	56.8
2022	(\$7,913,753)	(\$796,599)	(\$838,129)	56.8

**Fiscal Analysis**

The bill would amend the Family Code relating to certain procedures in suits affecting the parent-child relationship.

The bill would prohibit the court from ordering payment of child support by a parent while a termination of parental rights suit is pending.

The bill would require the Department of Family and Protective Services (DFPS), in filing a petition for the termination of the parent-child relationship, to determine whether any court has continuing, exclusive jurisdiction of a child named in the petition; and if so, to file the petition in that court.

The bill would take effect September 1, 2017.

### **Methodology**

According to DFPS, the agency received \$838,129 in child support collections in fiscal year 2016 that were used to offset the cost of Foster Care. This analysis assumes that the discontinuation of the court-ordered child support payments would result in an equivalent loss of General Revenue beginning in fiscal year 2018; and in addition, the state would incur a corresponding cost to General Revenue in order to fully cover the cost of the Foster Care entitlement program.

According to DFPS, children involved in Child Protective Services (CPS) investigations are frequently not found in the same county in which the court of continuing jurisdiction is found. Based on the DFPS removal data from fiscal year 2016, the agency assumes that they would require one additional investigation caseworker for every 500 children removed from their home.

Assuming the number of removals remains constant, the agency would require 38.2 additional CPS investigation caseworker full-time equivalent (FTE) positions, and 18.6 additional support staff FTEs beginning in fiscal year 2018. Including additional funding for expanded travel needs, the analysis assumes that each additional FTE would cost approximately \$141,500 per fiscal year for related benefits and expenses, and approximately \$9,100 in fiscal year 2018 for one-time set up costs.

The Office of Court Administration indicates they could absorb the costs associate with the bill within their current resources.

### **Technology**

The annual technology impact is approximately \$1,350 per FTE each fiscal year for related computer and data center services expenses.

### **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, JLi, KCA, EP