

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 12, 2023

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB532 by Patterson (Relating to the establishment of parentage and the duty to pay child support.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB532, As Introduced : a negative impact of (\$1,305,090) through the biennium ending August 31, 2025.

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:

<i>Fiscal Year</i>	Probable Net Positive/(Negative) Impact to <i>General Revenue Related Funds</i>
2024	(\$1,305,090)
2025	\$0
2026	\$0
2027	\$0
2028	\$0

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	Probable Savings/(Cost) from <i>General Revenue Fund</i> 1	Probable Savings/(Cost) from <i>Federal Funds</i> 555
2024	(\$1,305,090)	(\$2,533,410)
2025	\$0	\$0
2026	\$0	\$0
2027	\$0	\$0
2028	\$0	\$0

Fiscal Analysis

The bill would amend the Family Code to require that, in any order rendered under Family Code Chapter 160 establishing a man's paternity of a child, or in any suit to establish child support obligations of a man whose paternity has been established by voluntary acknowledgment, the court must order the man to pay retroactive child support for the child beginning on the earliest possible date of conception. The bill would require the court to order the man to pay an equitable portion of all prenatal and postnatal health care expenses. The bill would require that, on a finding of parentage under Section 160.636, the court must order retroactive child support as required by the bill.

The bill would require that an acknowledgment of paternity or denial of paternity take effect on the filing of the document with the vital statistics unit. The bill would require that, if a request for genetic testing is made before a child's birth, the court or support enforcement agency may order in utero testing only if the request is made by the pregnant mother and the pregnant mother is not pregnant with multiple children.

The bill would require that, a proceeding to determine parentage commenced before the birth of the child may not be concluded until after the birth of the child unless the pregnant mother commences the proceeding and the mother is not pregnant with multiple children. The bill would require an order adjudicating parentage to identify the child by name and date of birth except that, where the order is rendered before birth, the order must identify the mother and father and the expected date of birth and as soon as practicable be amended to update the identity and birth date of the child.

Methodology

The table above reflects a one-time programming cost of \$3,838,500 in fiscal year 2024 for the Office of the Attorney General's (OAG) TXCSES system. This would include General Revenue totaling \$1,305,090 and Federal Funds totaling \$2,533,410.

According to information provided by the OAG, programming costs would be necessary to provide: (1) New Obligation Type and Associated Order Entry/Financial Functionality for Mandatory Conception Retro; (2) New Retro obligation must accrue 0% interest until 1 year anniversary of order being rendered and; (3) New data field for the date that will trigger the 1-year anniversary and new interest calculation functionality. The OAG anticipates a minimum of nine months to one year to implement all changes from the bill into the current mainframe system, TXCSES.

Technology

One-time programming costs totaling \$1,305,090 in General Revenue and \$2,533,410 in Federal Funds for the TXCSES would be necessary to implement the provisions of the bill.

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: JMc, MW, JPa, CMA