

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 10, 2025

TO: Honorable Jeff Leach, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB330 by Meza (relating to reporting and investigating certain cases of child abuse or neglect involving a pregnant person’s use of a controlled substance.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would not require a professional providing prenatal, mental health, or other medical care to make a report on a person who voluntarily discloses to the professional that they illegally used a controlled substance during pregnancy in certain circumstances. The bill also would prohibit the Department of Family and Protective Services from investigating a report or abuse or neglect if the person enrolls in and successfully completes a substance abuse treatment program under the supervision of the referring or treating professional during the pregnancy and successfully completes the program.

According to DFPS, the changes to Family Code, section 261.101 could potentially violate federal law related to the Comprehensive Addiction and Recovery Act. The agency uses the professional reporting under this section in cases of infants born with and identified as being affected by substance abuse or withdrawal symptoms resulting from prenatal drug exposure or Fetal Alcohol Spectrum Disorder to comply with the federal requirements. Since this bill would not require professionals to refer these types of cases in certain circumstances to DFPS, the agency could potentially be out of compliance with the federal Act.

It is assumed that any costs to the Department of Family and Protective Services could be absorbed within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 530 Family and Protective Services, Department of

LBB Staff: JMc, KDw, ER, AN