

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 6, 2025

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB3281 by Dutton (relating to procedures and grounds for termination of the parent-child relationship.), **Committee Report 1st House, Substituted**

The fiscal implications of the bill cannot be determined due to the uncertainty of the number of children who would remain longer in the conservatorship of the Department of Family and Protective Services.

The bill would require proof beyond a reasonable doubt before a court may order termination of the parent-child relationship. The bill also would remove certain grounds for termination and would amend endangerment grounds to require a finding of immediate danger that such that continuation of the parent-child relationship is likely to result in physical injury or serious emotional injury to the child.

According to the Department of Family and Protective Services (DFPS), if it was unable to meet the higher evidentiary standard to terminate parental rights when parents have not been able to alleviate safety concerns that would allow reunification, children could remain in DFPS conservatorship longer. The agency assumes a potential significant increase to the number of children in conservatorship. The agency assumes this could result in additional costs, including costs for conservatorship and/or support staff to provide case management services for these children, costs for transitional living support services as these children transition to adulthood, and an increase to foster care and kinship costs and payments.

According to DFPS, a decrease in adoption assistance may offset these increases. However, because the number of children that may remain longer in DFPS conservatorship is unknown, the impact on the net cost cannot be determined.

It is assumed that any costs to the Office of Court Administration could be absorbed within existing resources.

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: JMc, KDw, ER, AN