

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3865-02  
Bill No.: Perfected HCS for HB 1443  
Subject: Children and Minors: Family Law  
Type: Original  
Date: April 9, 2002

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
General Revenue	(\$96,472)	(\$99,635)	(\$102,347)
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>(\$96,472)</b>	<b>(\$99,635)</b>	<b>(\$102,347)</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
<b>Local Government</b>	<b>(Unknown)</b>	<b>(Unknown)</b>	<b>(Unknown)</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 4 pages.

**FISCAL ANALYSIS**

**ASSUMPTION**

Officials from the **State Courts Administrator** stated that the proposal would not fiscally impact the courts.

Officials from the **Department of Social Services - Division of Family Services (DOS -DFS)** stated the proposed legislation would fiscally impact their organization due to the long term need to inform the public, especially women of child rearing years. The DFS would create an educational packet of the process involved in protective custody matters. The Children's Trust Fund has agreed to cover the cost of developing the brochure. DFS would cover cost to print the packet (\$36,737) and mailing costs (\$23,100 for 10,000 packets). Division of Family Services officials note that there is no listing of all clergy in Missouri, therefore costs for notifying clergy of the proposal are unknown.

DFS officials note that costs for regular production, publication, and distribution of information about this proposal is estimated at \$36,635 (\$7,735 for producing 85,000 brochures and \$28,900 to mail them). DFS would distribute brochures to doctors offices, hospitals, clinics, WIC offices, all county offices of state agencies, county health agencies, colleges and universities and professional health and social service organizations across the state.

**Oversight** notes that there could be costs to hospitals for treating newborns and that the proposal does not address how hospitals would be reimbursed for that treatment. For fiscal note purposes, Oversight assumes that not all costs will be covered by insurance and public hospitals will absorb some costs.

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
<b>GENERAL REVENUE FUND</b>			
<u>Costs - Department of Social Services</u>			
Equipment and Expense-Brochures and Distribution	(\$96,472)	(\$99,365)	(\$102,347)
Total <u>Costs</u> - Department of Social Services	<u>(\$96,472)</u>	<u>(\$99,365)</u>	<u>(\$102,347)</u>
<b>ESTIMATED EFFECT ON GENERAL REVENUE FUND</b>	<b><u>(\$96,472)</u></b>	<b><u>(\$99,635)</u></b>	<b><u>(\$102,347)</u></b>

<u>FISCAL IMPACT - Local Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
<b>POLITICAL SUBDIVISIONS</b>			
<u>Costs - Treatment of Newboms at public hospitals</u>	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>

FISCAL IMPACT - Small Business

Small businesses which are licensed hospitals or clinics could be affected by this proposal.

DESCRIPTION

This proposal, known as the "Safe Place for Newborns Act of 2002", is designed to protect a newborn from injury and death caused by abandonment by a parent and provide safe and secure alternatives to abandonment. It would provide an affirmative defense to the parents against prosecution of abandonment and endangerment, for leaving a child in the physical custody of the staff of a licensed medical facility, firefighter or emergency medical technician, on-duty law enforcement officer, or member of the clergy, if the child is no more than 30 days old and has not been abused or neglected by the parent.

Authorized persons could take physical custody of a child believed to be no more than 30 days old without a court order and, if the newborn is surrendered at any place other than a licensed medical facility, the person taking physical custody of the child would arrange for the immediate transportation of the child to the nearest licensed medical facility. The medical facility would perform any act necessary, in accordance with generally accepted standards of professional practice, to protect the physical health or safety of the child and notify the local juvenile officer when the child is medically ready for discharge. The juvenile officer would begin protective custody proceedings and the Division of Family Services would take custody of the child after receiving a protective custody order.

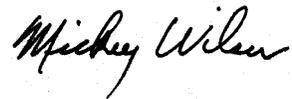
The Division of Family Services would work with the Children's Trust Fund Board or other child advocacy groups, community groups, and health organizations to provide information to the public about this proposal through pamphlets, brochures or other means.

Nothing in this proposal would be construed as conflicting with section 210.125

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space. This proposal would not affect Total State Revenue.

SOURCES OF INFORMATION

Department of Social Services  
State Courts Administrator

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA  
Acting Director  
April 9, 2002