

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3047-01
Bill No.: SB 964
Subject: Children and Minors; Family Law; Health Department
Type: Original
Date: February 10, 2004

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
General Revenue	\$87,798	\$97,015	\$96,221
Total Estimated Net Effect on General Revenue Fund	\$87,798	\$97,015	\$96,221

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Federal*	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

*Income and costs of approximately \$24,000 would net to \$0.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Health and Senior Services (DOH)** assume they would be responsible for printing and distributing pamphlets relating to this proposal. The DOH assumes the printing costs for 150,000 pamphlets would be \$15,834. The DOH assumes mailing cost to 2,471 counties, birthing hospitals, public libraries, public schools, and universities would be \$9,772. The DOH estimates 200 Programming hours x \$50.00 per hour = \$10,000 would be needed to develop database for tracking purposes and modify paternity file.

Officials from the **Office of State Courts Administrator (CTS)** state this proposal would create new rights for men in the establishment of paternity, and make changes in the putative father registry maintained by the Department of Health and Senior Services. The CTS states the proposal provides for a \$50 filing fee on all petitions for adoption, to be used to fund the registry.

The CTS states in 2003 (the most recent year for which this data is available), there were 3,400 adoption filings. Thus, the CTS estimates that approximately \$170,000 will be raised in a given year.

Officials from the **Office of the Secretary of State (SOS)** state this proposal amends the Putative Father Registry. The Department of Social Services could promulgate rules to enact

ASSUMPTION (continued)

this legislation. Based on experience with other divisions, the rules, regulations and forms issued by the Department of Social Services could require as many as 4 pages in the *Code of State Regulations*. For any given rule, roughly one-half again as many pages are published in the *Missouri Register* as are published in the Code because cost statements, fiscal notes and notices are not published in the Code. The estimated cost of a page in the *Missouri Register* is \$23.00. The estimated cost of a page in the *Code of State Regulations* is \$27.00. The actual costs could be more or less than the numbers given. The fiscal impact of this legislation in future years is unknown and depends upon the frequency and length of rules filed, amended, rescinded and withdrawn. The SOS estimates the cost of this legislation to be \$246.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

Officials from the **Department of Social Services - Children's Division (CD)** state the CD reimburses the adoptive parents for legal fees incurred during the adoption process of a child in their care and custody. The legal fees include the filing fee for the adoption proceedings. In FY 2003, the CD had approximately 1,407 adoptions finalized. The proposed filing fee could potentially cost the agency \$70,350.

<u>FISCAL IMPACT - State Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
GENERAL REVENUE			
<u>Income</u> - Office of State Courts Administrator			
Filing fees	\$170,000	\$170,000	\$170,000
<u>Costs</u> - Department of Health and Senior Services			
Expense and equipment	(\$35,673)	(\$26,456)	(\$27,250)
<u>Costs</u> - Department of Social Services - Division of Family Services			
	<u>(\$46,529)</u>	<u>(\$46,529)</u>	<u>(\$46,529)</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE FEDERAL	<u>\$87,798</u>	<u>\$97,015</u>	<u>\$96,221</u>

<u>Income</u> - Department of Social Services - Division of Family Services	\$23,821	\$23,821	\$23,821
<u>Costs</u> - Department of Social Services - Division of Family Services	<u>(\$23,821)</u>	<u>(\$23,821)</u>	<u>(\$23,821)</u>
ESTIMATED NET EFFECT ON FEDERAL FUNDS	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal amends the Putative Father Registry.

Lack of knowledge of a pregnancy does not excuse the failure to timely file with the State Registrar. Further, a man's consent to an adoption is not waived by the failure to timely file with the State Registrar unless there was fraud or misrepresentation by the mother. Upon the discovery of the fraud or misrepresentation, the man shall have fifteen days to file. Pamphlets and publications regarding the Putative Father Registry must include the specific statements contained in subsection 10 of this section (Section 192.016).

Petitions for adoption shall include the payment of a \$50 filing fee, which shall be used to fund the Putative Father Registry (Section 453.020).

The consent form must specify that the birth parent understands the importance of identifying possible fathers and may provide the names (Section 453.030).

In cases where the father is unknown, a search of the Missouri Putative Father Registry or any other state's registry must be conducted. Where the mother has named potential fathers and the adoption petition has been filed, a statement declaring that the man has been named and a copy of DESCRIPTION (continued)

the pamphlet must be mailed to the last known address of each man (Section 453.060).

This section provides that any man who has had sexual intercourse with a woman is deemed on notice that a child may be conceived and is entitled to notice of adoption proceedings only as provided in Chapter 453, RSMo (Section 453.061).

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

SOURCES OF INFORMATION

Department of Health and Senior Services
Office of State Courts Administrator
Secretary of State
Department of Social Services



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Director
February 10, 2004