

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0606-01
Bill No.: SB 116
Subject: Children and Minors; Family Law; Domestic Relations; Courts
Type: Original
Date: February 14, 2011

Bill Summary: This legislation updates the Uniform Interstate Family Support Act.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
General Revenue	(Could exceed \$100,000)	(Could exceed \$100,000)	(Could exceed \$100,000)
Total Estimated Net Effect on General Revenue Fund	(Could exceed \$100,000)	(Could exceed \$100,000)	(Could exceed \$100,000)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on <u>Other</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 2012	FY 2013	FY 2014
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on FTE	0	0	0

- Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).
- Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Sections 210.844 & 454.1500 - 454.1730:

Officials from the **Office of the State Courts Administrator, Office of Prosecution Services** and the **Missouri State Governor** each assume the proposal would have no fiscal impact on their respective agencies.

Officials from the **Office of the Attorney General (AGO)** assume section 454.1506 of this proposal has been amended to clarify that the AGO would not be a support enforcement agency. However, section 454.1569(a) also contains a provision that states that AGO "may provide those services directly to the individual." AGO assumes that this has the same effect as designating AGO as a support enforcement agency, requiring AGO to mirror the services provided by DSS and duplicate the budget of DSS for such services, as well as any increase due to this proposal. The costs are currently unknown to AGO could exceed \$100,000.

Officials from the **Department of Social Services (DSS)** assume the proposed legislation would require the Family Support Division to change its procedures and forms when the change in law becomes effective (i.e., when the U.S. deposits its instrument of ratification of the Hague Convention). These changes can be accomplished with existing staff.

Officials from the **St. Louis Family Court** have not responded to Oversight's request for fiscal information.

<u>FISCAL IMPACT - State Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
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GENERAL REVENUE FUND

<u>Costs - Office of the Attorney General</u>			
Program Costs	<u>(Could exceed \$100,000)</u>	<u>(Could exceed \$100,000)</u>	<u>(Could exceed \$100,000)</u>

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>(Could exceed \$100,000)</u>	<u>(Could exceed \$100,000)</u>	<u>(Could exceed \$100,000)</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
	<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.

FISCAL DESCRIPTION

Sections 210.844 & 454.1500 - 454.1730:

The proposed legislation updates the Uniform Interstate Family Support Act (UIFSA). Whenever more than one state is involved in establishing, enforcing, or modifying a child or spousal support order, the legislation is implemented to determine the jurisdiction and power of the courts in the different states. This legislation also establishes which state's law will be applied in the proceeding under the legislation.

This legislation establishes rules requiring every state to defer to child support orders entered by the courts of the child's home state. The place where the order was originally entered holds continuing exclusive jurisdiction, and only the law of that state can be applied to requests to modify the order of child support, unless the original tribunal loses the continuing exclusive jurisdiction. This legislation also provides various direct interstate enforcement mechanisms.

This legislation also incorporates changes required by the Hague Convention on the International Recovery of Child Support and other Forms of Family Maintenance to establish uniform procedures for the processing of international child support cases. This legislation provides for guidelines and procedures for registration, recognition, enforcement and modification of foreign support orders from countries that are parties to the Convention.

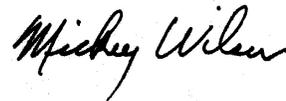
The provisions of the updated UIFSA shall become effective and the repeal of the current UIFSA shall become effective upon the United States filing its instrument of ratification of The Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, adopted at The Hague Conference on Private International Law on November 23, 2007.

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

Office of the Attorney General
Office of the State Courts Administrator
Department of Social Services
Missouri State Governor
Office of Prosecution Services

Not Responding: St. Louis Family Court



Mickey Wilson, CPA
Director
February 14, 2011