

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1677-01
Bill No.: SB 312
Subject: Administrative Law; Department of Social Services; Family Law; Children and Minors;
Type: Original
Date: April 18, 2011

Bill Summary: This legislation modifies provisions relating to administrative child support orders.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

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

Section 454.475:

Officials from the **Office of Administration-Administrative Hearing Commission, Missouri State Treasurer, Office of Administration-Budget and Planning** and the **Office of the State Courts Administrator** each assume the proposal would have no fiscal impact on their respective agencies.

Officials from the **Department of Social Services-Family Support Division (FSD)** states the following:

New subdivision (1) of subsection 454.475.7 authorizes hearing officers, after notice to the parties, to correct certain errors in hearing decisions or orders issued in an administrative proceeding related to the establishment, enforcement or modification of support obligations.

New subdivision (2) of subsection 454.475.7 authorizes hearing officers, after notice to the parties, to vacate an administrative hearing order issued in an administrative proceeding to establish or modify a support order, if the order was issued without subject matter jurisdiction, without personal jurisdiction or without affording either party due process, and:

- The administrative order is not yet filed with or, if applicable, approved by the court; and
- Neither party has filed a petition for judicial review with the court.

New subdivision (3) of subsection 454.475.7 requires that an administrative order issued by a hearing officer to correct an error or vacate a prior administrative order be filed with the court where the original order was filed, and a copy be sent to the parties within 14 days of issuance.

These changes will require FSD to revise policy and procedures. FSD can accomplish the revisions with existing staff. Also, this proposal has zero fiscal impact for the child support program.

<u>FISCAL IMPACT - State Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<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.

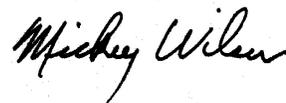
FISCAL DESCRIPTION

The proposed legislation appears to have no fiscal impact.

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 Administration-Administrative Hearing Commission
Office of Administration-Budget and Planning
Office of the State Courts Administrator
Department of Social Services
Missouri State Treasurer



Mickey Wilson, CPA

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