

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5119-01
Bill No.: HB 1208
Subject: Family Law; Domestic Relations; Children and Minors; Courts
Type: Original
Date: February 1, 2012

Bill Summary: This proposal permits the continuation of child support after termination of parental rights in cases of rape.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
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 2013	FY 2014	FY 2015
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the State Courts Administrator** assume the proposal would not fiscally impact the courts.

Officials from the **Department of Social Services - Family Support Division (FSD)** state the bill specifies that when a child was conceived and born as a result of an act of forcible rape and the offending parent's parental rights are terminated due to a plea or conviction of forcible rape, the TPR does not extinguish or legally bar the ordering and enforcement of a child support obligation against the offending parent.

FSD states the bill does not impact their child support program. The bill does not require FSD to establish or enforce a support obligation against an individual whose parental rights were terminated due to forcible rape that resulted in the child's conception and birth.

Officials from the **Department of Social Services - Division of Legal Services (DLS)** state the FSD will not be able to administratively establish, modify or enforce the obligations set forth in this bill because the enabling statutes for the IV-D program apply only to parents. Since the offending parent will not be a parent after their parental rights are terminated, the FSD will not be able to enforce a child support obligation against them unless relevant sections of Chapter 454 are amended.

Officials from the **Department of Social Services - Children's Division** also assume the proposal would not fiscally impact their agency. There would be no cost in terms of additional staff. In addition, because of the narrow population of kids that would be affected, any additional income into the child's KIDS account used to offset their cost of care would be negligible. The fiscal impact for this bill is zero.

<u>FISCAL IMPACT - State Government</u>	FY 2013 (10 Mo.)	FY 2014	FY 2015
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2013 (10 Mo.)	FY 2014	FY 2015
	<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 the State Courts Administrator
Department of Social Services



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Director
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