

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **HB 204** HLS 15RS 802  
 Bill Text Version: **ENGROSSED**  
 Opp. Chamb. Action: **W/ SEN FLOOR AMD**  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> June 1, 2015 1:46 PM	<b>Author:</b> FOIL
<b>Dept./Agy.:</b> Children and Family Services	<b>Analyst:</b> Patrice Thomas
<b>Subject:</b> Child Support for Adult Children with Disabilities	

CHILDREN/CARE EGF INCREASE GF EX See Note Page 1 of 1  
 Provides relative to adult children with disabilities

Under proposed law, child support shall continue to unmarried children that are incapable of self-support and require substantial care and personal supervision because of an intellectual or physical disability (excluding substance abuse or addiction) beyond the age of majority. Proposed law provides that a court may consider special circumstances regarding the manifestation of the disability and financial burden on the noncustodial parent when awarding child support for an adult child with a disability. Proposed law provides that child support for an adult child with a disability may be place in a trust. When placing child support in a trust, the proposed law provides that the court shall consider the best interest of the child regarding eligibility of public benefits and services. Before the age of majority, when DCFS is providing support enforcement services, the proposed law requires the child with a disability or their tutor/curator to submit a judgment ordering the continuation of support to the department. If the adult child with a disability is participating in the NOW program, the proposed law requires the child support shall go to DHH for for deposit into the NOW program.

<b>EXPENDITURES</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Local Funds	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
<b>Annual Total</b>						

<b>REVENUES</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Federal Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b>\$0</b>
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

This legislation is anticipated to increase in state general fund expenditures within the Department of Children and Family Services (DCFS) by at least \$221,914 as well as an indeterminable expenditure increase in district courts; however the exact fiscal impact of this legislation is indeterminable.

**Department of Children and Family Services and Local**

The proposed law extends child support for unmarried adult children with disabilities pass the age of majority (18 years old). Under this proposed law, an adult child with a disability or their tutor/curator may file a suit in court against the noncustodial parent for an award of child support. Through its Child Support Enforcement (CSE) section, DCFS assists custodial parents (tutors/curators) with establishing and enforcing child support orders. Approximately half of the CSE cases within DCFS are contracted out to local district attorneys. Therefore, if the child or their custodial parent file action under this measure using the assistance of DCFS, the cost to the state and local governments for each court appearance is \$150 (\$51 local government and \$99 DCFS). However the Legislative Fiscal Office cannot determine how many adult children with disabilities or their custodial parents would seek assistance from DCFS under this measure.

In addition, DCFS estimates a one-time cost of \$200,000 (\$100,000 SGF and \$100,000 Federal) for IT infrastructure changes to comply with this measure as well as administrative costs of approximately \$21,914 to annually identify children reaching the age of majority a year prior to determine if the proposed law would apply to them. To identify the potential children, DCFS anticipates mailing notices to 34,241 parents of children with disabilities at a cost of 64 cents per notice (34,241 x \$.64 = \$21,914).

**Judicial**

To the extent the proposed legislation increases the number of actions filed by an adult child with a disability or their tutor/curator in district courts regarding child support, an indeterminable increase in court costs associated with judicial workload, time and attendance (presence of judges, clerks, bailiffs, counsel, etc.) may result.

**REVENUE EXPLANATION**

This measure requires DCFS to transfer any child support paid by the non-custodian parent on behalf of an adult child with a disability participating in the New Opportunities Waivers (NOW) program to the Department of Health and Hospitals (DHH). The legislation requires the child support revenue to be expended in the NOW program. The Legislative Fiscal Office anticipates that the child support revenue may be used to drawn down additional Title 19 Medicaid matching Federal funds.

Senate	<u>Dual Referral Rules</u>	House	<input checked="" type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}	 <b>John D. Carpenter</b> Legislative Fiscal Officer
<input checked="" type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}		<input type="checkbox"/> 6.8(F)(2) >= \$500,000 Rev. Red. to State {H & S}		
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}		<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}		