

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 292** SLS 14RS 403

Bill Text Version: **REENGROSSED**

Opp. Chamb. Action: **w/ HSE COMM AMD**

Proposed Amd.:

Sub. Bill For.:

Date: May 19, 2014 7:00 PM	Author: MORRELL
Dept./Agy.: Supreme Court/Judicial	Analyst: Patrice Thomas
Subject: Divorce Proceedings for Domestic or Sexual Abuse Victims	

DIVORCE RE1 SEE FISC NOTE See Note
Provides relative to divorce proceedings. (8/1/14)

Proposed law adds the following as grounds for immediate divorce and removes the following as grounds for divorce after 180 days (6 months) have passed: (1) when a spouse or child has been physically or sexually abused by the other spouse; and (2) when a protective order or injunction has been issued against the other spouse. Proposed law requires the court to consider domestic abuse during the marriage in determining a final award amount. Proposed law requires the court to award final spousal support when the court finds that the spouse seeking divorce was the victim of domestic abuse committed by the other spouse during the marriage and the final award amount may exceed one-third of the obligor's net income. Proposed law provides that final spousal support award shall not exceed the interim spousal support award and shall not begin until after interim spousal support has terminated. Proposed law requires the court to consider all criminal convictions or requires the court to appoint an independent mental health professional who is an expert in domestic abuse when there are no criminal convictions. Proposed law is effective 08/01/2014.

EXPENDITURES	2014-15	2015-16	2016-17	2017-18	2018-19	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW					
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW					
Annual Total						

REVENUES	2014-15	2015-16	2016-17	2017-18	2018-19	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

This proposed legislation may increase governmental expenditures by an indeterminable amount related to court costs associated with judicial workload, time and attendance (presence of judges, clerks, bailiffs, counsel, etc.) in divorce proceedings and spousal support proceedings for domestic or sexual abuse victims. The Legislative Fiscal Office (LFO) cannot determine the additional court resources that may be required to determine domestic or sexual abuse as a result of this measure. However, the LFO anticipates the impact to be minimum. In addition, if there are no criminal convictions, the proposed legislation requires the court to order an evaluation by a mental health professional in domestic or sexual abuse cases. Since the legislation is silent on who pays for the evaluation, the LFO anticipates the court will assess the cost of evaluation to the litigants based on some financial means determination or the court will provide the evaluation at no cost to indigent litigants.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

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| <u>Senate</u> | <u>Dual Referral Rules</u> | <u>House</u> | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S} |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} | | | <input type="checkbox"/> 6.8(F)(2) >= \$500,000 State Rev. Reduc. {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} |


John D. Carpenter
Legislative Fiscal Officer