

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 361** HLS 16RS 761

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 5, 2016	2:57 PM	Author: PYLANT
Dept./Agy.: Education		Analyst: Jodi Mauroner
Subject: Child Care licenses		

CHILDREN/CARE

OR SEE FISC NOTE SG RV

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Provides penalties for persons operating early learning centers without a valid license

Current law mandates a fine of not less than \$1,000 per day for early learning centers operating without a valid license issued by the department and further authorizes the department to file suit in district court for injunctive relief, including a temporary restraining order, to keep the person or entity from continuing to operate the center. Proposed legislation changes the amount of the fine from at least \$1,000 to no more than \$1,000 and retains the authority to file suit in district court.

EXPENDITURES	2016-17	2017-18	2018-19	2019-20	2020-21	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>	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2016-17	2017-18	2018-19	2019-20	2020-21	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	SEE BELOW					
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>	\$0
Annual Total						

EXPENDITURE EXPLANATION

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

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure. The Department of Education began licensing early childhood learning centers in July 2015; prior to that date licensing came under the authority of the Department of Children and Family Services (DCFS). DCFS reports that over the years the department rarely, if ever, had a court impose a fine on an unlicensed center. Despite requests by the department to levy fines, the courts instead granted injunctions which mandated the unlicensed center immediately cease operations. To the extent courts choose to approve fines of lesser amounts (i.e. less than \$1,000) as proposed there could be increased revenues to DOE. The exact impact of this cannot be determined.

Senate Dual Referral Rules House

13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux

Evan Brasseaux
Staff Director