

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: SB 32 SLS 11RS 247

Bill Text Version: ORIGINAL

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

| | | |
|---|---------|--------------------------------|
| Date: May 2, 2011 | 5:04 PM | Author: BROOME |
| Dept./Agy.: Children and Family Services | | |
| Subject: Clarifies Guardianship in the Children’s Choice | | Analyst: Patrice Thomas |

CHILDREN OR NO IMPACT GF EX See Note Page 1 of 1
Provides relative to guardianship of children in need of care.

Current law allows for “legal guardianship.” Proposed law replaces “legal guardianship” with “guardianship.” The proposed law clarifies the role and duties of guardianship. The proposed law provides the permanence of the guardianship arrangement when guardianship is ordered by the court. Also, the proposed law allows for new permanency options for children in foster care for whom reunification with parents, custody to relatives, or adoption have been ruled out.

| EXPENDITURES | 2011-12 | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 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 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Annual Total | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |

| REVENUES | 2011-12 | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 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 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Annual Total | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on governmental expenditures as a result of this measure. The proposed law clarifies provisions of guardianship within the Children’s Code to make it similar to tutorship in the Civil Code. In addition, the proposed law clarifies guardianship as a judicial placement as well as requirements, rights and responsibilities of the guardian. Guardianship has been in the Children’s Code for many years and the Department of Children and Family Services (DCFS) is already using guardianship as a custody option. According to the following agencies, DCFS, the Supreme Court, Louisiana Public Defender Board, and Mental Health Advocacy Service within the Office of the Governor, this proposed law will have no anticipated effect on their existing processes and procedures regarding guardianship placement.

REVENUE EXPLANATION

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

SenateDual Referral RulesHouse

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

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

☐ 6.8(F)1 >= \$500,000 Annual Fiscal Cost {S}

☐ 6.8(F)2 >= \$100,000 Annual SGF Cost {H&S}

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

H. Gordon Monk
Legislative Fiscal Officer