

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 54** SLS 17RS 245
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: May 9, 2017 8:24 AM	Author: MIZELL
Dept./Agy.: Children & Family Services	Analyst: Patrice Thomas
Subject: Exploited Children Shall Be CINC Cases	

CHILDREN OR INCREASE GF EX See Note Page 1 of 1
 Provides for the unlawful exploitation of children. (8/1/17)

Proposed law mandates that exploited children shall be treated as a Child In Need of Care (CINC), regardless of if the person that exploited the child has a parental relationship with the child. Proposed law broadens the definition of exploited children to include children victimized by commercial sexual activity and labor trafficking. Proposed law mandates the Dept. of Children & Family Services (DCFS) instead of the Dept. of Corrections, Office of Juvenile Justice (OJJ) to investigate allegations of child exploitation and coordinating the delivery of various services. Proposed law requires DCFS to prioritize Federal match funding for exploited children. Proposed law provides that children shall not be prosecuted for crimes related to their exploitation. Proposed law expands the definition of shelter care facility to include temporary care for exploited children as well as makes the facility the proper placement for exploited children. Proposed law requires all reports and records of child exploitation be kept confidential. Proposed law provides for expungement of records related to child exploitation. Proposed law becomes effective August 1, 2017.

EXPENDITURES	2017-18	2018-19	2019-20	2020-21	2021-22	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total						

REVENUES	2017-18	2018-19	2019-20	2020-21	2021-22	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

The proposed legislation is anticipated to result in a significant increase in state expenditures by an indeterminable amount within the Department of Children and Family Services (DCFS) as a result designating the department the lead agency in Child In Need of Care (CINC) proceedings for exploited children. Presently, DCFS is the lead agency for CINC proceedings. CINC cases are for children abused and/or neglected by their parents or caretakers, referred to as parental culpability. Currently, cases of abuse and/or neglect of a child by anyone other than a parent or caretaker are referred to law enforcement for criminal proceedings. The proposed legislation provides that exploited children shall now be treated as CINC cases, regardless if the person that exploited the child is a parent or caretaker. DCFS utilizes state general fund as well as federal Title IV-E (Foster Care) funds to provide services in CINC cases.

DCFS will now be required to provide services to a new population of children entering CINC proceedings – exploited children. If the exploitation of a child is the result of parental culpability, DCFS may utilize federal Title IV-E funding to provide services to the child in CINC cases. The match rate for eligible children is 37% SGF and 67% Title IV-E. If no parental culpability, the CINC case becomes ineligible to utilize federal Title IV-E funds. To the extent a CINC would not be considered the result of parental culpability, services provided by DCFS will be 100% SGF for ineligible children.

It is indeterminable how many children will be considered exploited and enter CINC proceedings under this measure. Information provided by DCFS reported 201 juvenile trafficking victims in 2016. Of the 201 victims, the department has identified approximately 33%, or 66, would meet the criteria of parental culpability, and thereby eligible for Title IV-E funds. The remaining 66%, or 135, victims would not meet the criteria, and thereby ineligible for Title IV-E funds. Based on existing DCFS staffing ratios and an estimated 135 exploited children entering CINC proceedings, it is anticipated this proposed legislation will require 20 additional positions – Child Welfare Specialist (13), Child Welfare Supervisor (2), Child Welfare Consultants (2), a Child Welfare Manager (1), and Administrative Assistants (2). Also, the department anticipates increased costs in foster care boarding as well as therapeutic treatment. However, the appropriate level of additional staff, boarding, and treatment cost will ultimately dependent on the number of exploited children that enter CINC.

REVENUE EXPLANATION

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

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

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