

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



Fiscal Note On: **SB 290** SLS 14RS 601

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> March 24, 2014 7:20 PM	<b>Author:</b> JOHNS
<b>Dept./Agy.:</b> Supreme Court/Judicial	<b>Analyst:</b> Patrice Thomas
<b>Subject:</b> Safety Plan for Child in Need of Care (CINC) Proceedings	

CHILDREN'S CODE

OR SEE FISC NOTE

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Provides relative to safety plan order for child in need of care. (8/1/14)

Proposed law provides that the Department of Children and Family Services (DCFS) has the option of requesting an instanter safety plan order in addition to a temporary restraining order or protective order prior to the removal of a child in child in need of care (CINC - child abuse or neglect) proceedings. Proposed law provides that if a court determines with the issuance of a safety plan order that a child's welfare can be safeguarded without removal, the court shall order a instanter safety plan. Proposed law provides that a peace officer, district attorney, or DCFS may file a emergency removal or a safety plan to secure a child's protection and the court makes a determination of removal or instanter safety plan order. Proposed law provides that if a safety plan has been ordered, a hearing shall be held by the court within 3 days. Proposed law provides for a continued safety plan hearing the same as continued custody hearing and DCFS has the burden of prove the existence of a ground for continued custody or safety plan. Proposed law provides a petition requesting the child be adjudicated from the safety plan within 45 days of issuance of the safety plan. Proposed law becomes effective 08/01/2014.

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

**EXPENDITURE EXPLANATION**

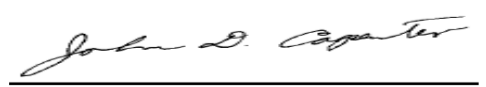
The proposed legislation may result in an indeterminable increase on governmental expenditures. The proposed legislation provides for the issuance of a safety plan as an option in child in need of care (CINC) court proceedings, and provides for a court hearing 3 days after the issuance of the safety plan. In addition, a parent may petition the courts requesting a child be adjudicated within 45 days of issuance of the safety plan.

The proposed legislation may require an increase in the workload of staff within the Department of Child and Family Services (DCFS), Child Protection Investigation division related to the approval of a safety plan from the court. The LFO anticipates this workload can be handled with existing resources. However, to the extent that DCFS must reimburse district attorneys representing the department in certain CINC cases, this measure may increase department expenditures for district attorneys associated with requesting approval of a safety plan from the court. In addition, court costs may increase by an indeterminable amount associated with judicial workload, time and attendance (presence of judges, clerks, bailiffs, council, etc.) in granting safety plans. The Legislative Fiscal Office cannot determine the number of CINC proceedings that a safety plan will be issued.

**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**