

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 39** SLS 24RS 235

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: March 21, 2024 9:55 AM	Author: MIZELL
Dept./Agy.: LDH	Analyst: Shawn Hotstream
Subject: children's code	

CHILDREN'S CODE

EG LF EX See Note

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Provides for continuous revisions to the Children's Code. (8/1/24)

Proposed law revises the children's code. Proposed law requires a judge at first hearing to advise a child of their rights. If the child has been placed in foster care, they are to be provided an individualized age specific case plan. Proposed law provides that the court may disapprove the placement of a child on its own motion of a party for good cause shown after a contradictory hearing. The party's motion shall be in writing. Proposed law provides for guardianship provisions. Proposed law provides that the child and each identified parent shall have the right to be represented by separate council in a termination proceeding. Counsel for the child shall have the authority to represent the child throughout the termination proceedings and any appellate review. Proposed law provides that within 72 hours after admission of any minor to a treatment facility by emergency certificate, copies of the physician's and coroner's emergency certificates shall be delivered by the facility by personal delivery, email, or facsimile to the Mental Health Advocacy Service (MHAS) office located nearest to the treatment facility.

EXPENDITURES	2024-25	2025-26	2026-27	2027-28	2028-29	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	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	

Annual Total

REVENUES	2024-25	2025-26	2026-27	2027-28	2028-29	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

Present law provides that the court may disapprove the placement of a child on its own motion for good cause. This measure adds that a motion of a party may also disapprove the placement of a child. This proposed law may increase expenditures by an indeterminable, but minimal, amount in the clerks of court offices related to increased motions and filings, in addition to court costs to conduct additional evaluations, contradictory hearings, and reporting.

In addition, the proposed law provides that the court shall not commit a child in state custody to a mental institution without a contradictory hearing and notice to the Louisiana Department of Health (LDH), bureau of legal services. The measure further ensures that children placed in a mental institution are provided a psychological or psychiatric evaluation before committing the child to an institution for intellectual disabilities or mental illness and requires LDH to be notified of the placement. Information provided by LDH, Office of Behavioral Health indicates no anticipated additional expenditures under this measure, as the assessment/evaluation is not a new requirement.

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}

Patrice Thomas
Deputy Fiscal Officer