

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



Fiscal Note On: **HB 236** HLS 24RS 576

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> April 2, 2024	7:48 PM	<b>Author:</b> MCMAKIN
<b>Dept./Agy.:</b> Courts		<b>Analyst:</b> Daniel Druilhet
<b>Subject:</b> Evaluations in Child Custody Proceedings		

CHILDREN/CUSTODY EG NO IMPACT See Note  
Provides for evaluations in child custody proceedings

Current law allows courts to order evaluations of a party or a child in a custody or visitation proceeding for good cause shown; mandates that evaluations are made by a licensed mental health professional selected by the parties or by the court; allows the court to render a judgment for costs of the evaluation, or any part thereof, against any party or parties as the court considers equitable; allows the court to order a party or the child to submit to and cooperate in the evaluation, testing, or interview by a licensed mental health professional, and mandates the mental health professional to provide the parties with a written report and serve as a witness of the court, subject to cross examination. Proposed law clarifies that evaluations are mental health evaluations; allows the court to take into consideration the ability of the parties to the mental health or child custody evaluation to pay; allows the court to preliminarily allocate costs at the outset and reserve the right to reallocate costs upon conclusion of the mental health or child custody evaluation; requires any mental health professional appointed by the court in a case where domestic abuse is an issue to have current and demonstrable training and experience working with perpetrators of domestic violence; requires a licensed mental health professional that serves as a court-ordered child custody evaluator to have completed at least 5 co-evaluations under direct supervision; mandates child custody evaluators to serve as witnesses.

EXPENDITURES	2024-25	2025-26	2026-27	2027-28	2028-29	5 -YEAR TOTAL
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	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

REVENUES	2024-25	2025-26	2026-27	2027-28	2028-29	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
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Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</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**

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

Both the current law and proposed law contemplate the costs of a mental health evaluation in a custody or visitation proceeding involving a child to be rendered by the court either preliminarily at the outset of the matter or in a judgment (with the right to reallocate costs upon conclusion of the matter). Because proposed law does not contemplate any costs assumed by the court, 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.

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**