



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 362** HLS 24RS 349
 Bill Text Version: **ENROLLED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: May 29, 2024	2:25 PM	Author: KERNER
Dept./Agy.: EDUCATION		Analyst: Julie Silva
Subject: Tutorship disclosures for parents of IEP students over age		

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Requires schools to provide information regarding tutorship to the parents of certain students at Individualized Education Program (IEP) meetings

Proposed legislation requires local education agencies to adopt policies requiring information regarding legal procedures affecting the transfer of individual rights from parent to child when the child attains the age of majority, including but not limited to supported decision making, power of attorney, continuing or permanent tutorship, and limited and full interdiction be provided to parents at annual Individualized Education Program (IEP) meetings. Requires the Louisiana Department of Education to develop the information required and make it available to the local education agencies for use. Provides that if enacted, proposed legislation is to be known and cited as the "Hunter and Kennedy Clanton Act."

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

Proposed legislation may result in a nominal increase in local fund expenditures for local education agencies.

Proposed legislation mandates that each local education agency (LEA) adopt a policy requiring schools to provide written information regarding continuing or permanent tutorship and other issues related to certain children's attainment of the age of majority to parents of 15-17 year-old children enrolled in an Individualized Education Program (IEP), at the first IEP meeting of the school year. LEAs may incur costs to provide written copies of the required informational document, and to develop and provide a parental acknowledgment form to confirm receipt of the required tutorship information; however, such costs are expected to be minimal. The document must include, at a minimum, information regarding legal procedures affecting the transfer of individual rights from parent to child when the child attains the age of majority, including but not limited to supported decision making, power of attorney, continuing or permanent tutorship, and limited and full interdiction. This information is to be developed and provided by the Louisiana Department of Education (LDOE). Any costs realized by the department as a result of this requirement can be absorbed within its current operating budget. The document is additionally required to indicate the information provided is not intended to be legal advice and LEAs have no liability for any resulting claims that may be made.

LDOE reports they can provide the required information through updates to the Special Education (SPED) Procedural Safeguard Handbook. Receipt of this handbook is confirmed through the existing Special Education Reporting (SER) system.

If SB 61 of the 2024 Regular Session becomes law, the Louisiana State Law Institute is authorized to change "continuing or permanent" to "full or limited continuing." This change will have no impact on the information provided in this note.

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