

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



Fiscal Note On: **HB 228** HLS 14RS 824

Bill Text Version: **ENROLLED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> June 2, 2014 9:27 AM	<b>Author:</b> JEFFERSON
<b>Dept./Agy.:</b> Children and Family Services	<b>Analyst:</b> Patrice Thomas
<b>Subject:</b> Drug Convictions of Adults in Foster Homes Limited to 5 Yrs	

CHILDREN/FOSTER CARE EN NO IMPACT See Note Page 1 of 1  
Provides relative to criminal history of an adult living in a foster home

Present law (R.S. 46:51.2(C)) prohibits a child from being placed in a foster home for temporary care if an adult living in the home has been convicted of certain drug related crimes - a Schedule I, II, III, IV, or V controlled dangerous substance. Proposed law retains present law but allows consideration of a prospective foster or adoptive parent who has not been convicted or pled nolo contendere to a felony drug offense within the past 5 years. Proposed law provides the the Department of Children and Family Services (DCFS) must determine that the prospective foster or adoptive parent has not been convicted of or pled nolo contendere to a felony drug offense within 5 years between the date of placement and the date of successful completion of any sentence, deferred adjudication, or period of probation or parole. Proposed law provides that the prospective foster or adoptive parent submit to and pass an initial drug test as well as consent to future drug testing by DCFS for the duration of the child's placement. Proposed law provides the prospective foster or adoptive parent pay for the drug testing.

<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.	\$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>\$0</b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</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>\$0</b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

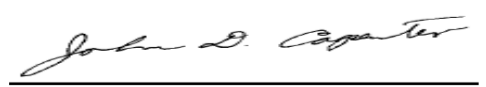
**EXPENDITURE EXPLANATION**

There is no anticipated direct material effect on governmental expenditures as a result of this measure. The proposed legislation allows the Department of Children and Family Services (DCFS) to consider an adult as a prospective foster or adoptive parent if that individual has not been convicted or pled nolo contendere to a felony drug offense within the past 5 years. Presently, these individuals are automatically ineligible from consideration as a prospective foster or adoptive parent. Also, before a child is placed with prospective foster or adoptive parent with a felony drug offense, the individual must have passed an initial drug test and consent to random drug testing by DCFS for the duration of the placement. Since this measure requires all drug testing shall be paid for by the prospective foster or adoptive parent, there is not impact on DCFS expenditures.

**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**