

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING COURT ORDERS IN CIVIL ACTIONS FOR PERSONS AT RISK OF ABUSE OR NEGLECT, AND, IN CONNECTION THEREWITH, PROCEDURES FOR ALLOCATING PARENTAL RIGHTS AND RESPONSIBILITIES IN THE BEST INTERESTS OF THE CHILD IN CASES INVOLVING CHILD ABUSE AND NEGLECT AND DOMESTIC VIOLENCE; PROVISIONS RELATING TO PARENTING TIME ORDERS; PROVISIONS RELATING TO PARENTING TIME EVALUATIONS AND REPORTS; AND AMENDING AND RELOCATING PROVISIONS RELATING TO CIVIL PROTECTION ORDERS.

Prime Sponsors: Representative McCann
Senator Newell

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Fiscal Impact of Bill as Amended to Date

The most recent Legislative Council Staff Fiscal Note (attached) reflects the fiscal impact of the bill as of 04/01/13.

XXX	No Change: Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
	Update: Fiscal impact has changed due to <i>new information or technical issues</i>
	Update: Fiscal impact has changed due to <i>amendment adopted</i> after LCS Fiscal Note was prepared
	Non-Concurrence: JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill

The House Public Health & Human Services Committee Report (04/02/13) includes amendments to the bill, however, Legislative Council Staff and JBC Staff agree that the committee amendments do not change the fiscal impact of the bill.

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
J.001	Staff-prepared appropriation amendment

Current Appropriations Clause in Bill

The bill requires but does not contain an appropriation clause.

Description of Amendments in This Packet

J.001 Staff has prepared amendment **J.001** (attached) to add a provision appropriating \$275,399 General Fund and 3.2 FTE for FY 2013-14 as follows:

- \$217,942 General Fund 3.2 FTE to the Trial Courts for personal services and operating expenses; and
- \$57,457 General Fund for courthouse capital expenses.

Points to Consider*General Fund Impact*

The Joint Budget Committee introduced a budget package for FY 2013-14 based on the March 2013 Office of State Planning and Budgeting revenue forecast. The budget package appropriates all but approximately \$8.0 million of General Fund revenues projected to be available, less a statutorily required five percent General Fund reserve. This bill requires a General Fund appropriation of \$275,399 for FY 2013-14.

Legislative Intent/ Other Potential Fiscal Impacts

Page 11 of the printed bill (lines 5 through 20) allows the court to order a party to submit to a domestic violence evaluation if it finds by a preponderance of the evidence that the party has committed domestic violence, and to further order the party to participate in domestic violence treatment if appropriate based upon the evaluation results. The bill allows the court to order the party who has committed domestic violence to pay the costs of such evaluation or treatment. If the court orders a party to submit to an evaluation and/or to participate in treatment and the court finds that the party is not able to pay the related costs, is it the intent of the General Assembly that the court cover such costs?