



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 1167

PRINTERS NO. 1947

PRIME SPONSOR: Baker

COST / (SAVINGS)

FUND	FY 2011/12	FY 2012/13
General Fund	\$0	\$0

SUMMARY: Senate Bill 1167 amends the Domestic Relations Code and the Military Code concerning child custody. It would take effect in 60 days.

ANALYSIS: This legislation amends the Domestic Relations Code, section 5329 concerning consideration of criminal conviction in child custody. It eliminates the current contents of the subsection on initial evaluation and inserts the following language: "At the initial in-person contact with the court, the judge, conference officer or other appointed individual shall perform an initial evaluation to determine whether the party or household member who committed an offense under subsection (a) poses a threat to the child and whether counseling is necessary. The initial evaluation shall not be conducted by a mental health professional. After the initial evaluation, the court may order further evaluation or counseling by a mental health professional if the court determines it is necessary."

It also amends the Military Code concerning the assignment of child custody rights during military deployment. It allows a servicemember to temporarily assign child custody rights to a family member while the servicemember is deployed in active duty. In addition, it creates a new section providing for expedited or electronic hearings when the military duties of the servicemember have a material effect on the servicemember's ability, or anticipated ability, to appear in person at a regularly scheduled hearing.

This legislation also adds relevant definitions.

FISCAL IMPACT: Enactment of this legislation will have no adverse impact on Commonwealth funds.

PREPARED BY: Jeff Miller
House Appropriations Committee (R)

DATE: March 12, 2012

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.