



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 414

PRINTERS NO. 2765

PRIME SPONSOR: O'Neill

COST / (SAVINGS)

FUND	FY 2013/14	FY 2014/15
General Fund	\$0	\$0

SUMMARY: House Bill 414, Printer's Number 2765, requires the court, in a custody proceeding, to consider factors related to child abuse and involvement with protective services. This legislation is effective January 1, 2014 or immediately, whichever is later.

ANALYSIS: This legislation is based upon the recommendation of the Task Force on Child Protection to require the court to have access to records related to child abuse for custody proceedings. Specifically, the court shall consider whether the child has been the subject of an indicated or founded child abuse report, whether any person in the household has been identified as the perpetrator in an indicated or founded child abuse report, and whether any person in the household has received protective services. This requirement would be in addition to the 16 other factors a court must consider when determining a custody order.

HB 414 would require the Department of Public Welfare (DPW) and a County Children and Youth agency to provide the courts with all documents and reports related to child abuse and neglect under the Child Protective Services Law (Title 23, Ch. 63) and the Juvenile Act (Title 42, Ch. 63). DPW would have access to inspect all court files and records and law enforcement records and files for use in determining whether an individual named as a perpetrator of an indicated report of child abuse should be expunged from the statewide database.

FISCAL IMPACT: Enactment of this legislation will have no adverse impact on Commonwealth funds. DPW is already required to provide the court with information in custody proceedings on other matters related to child welfare. Regional staff from DPW may be required to testify, therefore, there may be additional costs for travel-related expenses but they should be minimal and handled within the department's existing budget. Additional costs to county agencies should be minimal and handled within their existing budgets.

PREPARED BY: Ann Bertolino
House Appropriations Committee (R)

DATE: December 13, 2013

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