

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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**FISCAL IMPACT STATEMENT**

**LS 7010**

**BILL NUMBER:** HB 1778

**NOTE PREPARED:** Jan 1, 2007

**BILL AMENDED:**

**SUBJECT:** Custodian of a Child in Need of Services.

**FIRST AUTHOR:** Rep. Summers

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:**  GENERAL  
 DEDICATED  
 FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** This bill applies the law concerning children in need of services to a program that is exempt from child care licensure.

**Effective Date:** July 1, 2007.

**Explanation of State Expenditures:** The bill modifies current statute and adds a person who is responsible for care, supervision, or welfare of children while providing services as an employee or volunteer at a program that is exempt from licensure under IC 12-17-17.2-8 (See *Background Information*) to the definition of custodian for purposes of children in need of services (CHINS). Under the bill, additional children could be identified as CHINS. Should additional children necessitate services, a family case manager, who is employed by the state, would oversee services, which would be paid for from the county Family and Children Fund. As proposed, expenditures for both the state and county could increase. The state would experience an increase in expenditures should the state need to hire additional family case managers. The county would experience an increase should services be provided. Actual increase in expenditures would be dependent on the number of children identified as children in need of services under the bill and the type of services provided to them.

*Background Information:* Programs exempt from licensure include: (1) a program for children enrolled in grades kindergarten through 12 that is operated by the Department of Education (DOE) or a public or private school;(2) a program for children who become at least three years of age as of December 1 of a particular school year that is operated by the DOE or a public or private school; (3) a nonresidential program for a child that provides child care for less than four hours a day; (4) a recreation program for children that operates for not more than 90 days in a calendar year; (5) a program whose primary purpose is to provide social,

recreational, or religious activities for school-age children, such as scouting, Boys Club, Girls Club, sports, or the arts; (6) a program operated to serve migrant children that: (a) provides services for children from migrant worker families; and (b) is operated during a single period of less than 120 consecutive days during a calendar year; (7) a registered child care ministry; (8) a child care home if the provider: (a) does not receive regular compensation; (b) cares only for children who are related to the provider; (c) cares for less than six children, not including children for whom the provider is a parent, stepparent, guardian, custodian, or other relative; or (d) operates to serve migrant children; (9) a child care program operated by a public or private secondary school that: (a) provides day care on the school premises for children of a student or an employee of the school; (b) complies with health, safety, and sanitation standards for child care centers or in accordance with a variance or waiver of a rule governing child care centers; and (c) substantially complies with the fire and life safety rules for child care centers or in accordance with a variance or waiver of a rule governing child care centers; (10) a school-age child care program established under IC 20-26-5-2 that is operated by: (a) the DOE; (b) a public or private school; or (c) a public or private organization under a written contract with: (i) the DOE; or (ii) a public or private school.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** See *Explanation of State Expenditures*.

**Explanation of Local Revenues:**

**State Agencies Affected:** Department of Child Services.

**Local Agencies Affected:** Counties.

**Information Sources:** John Ryan, Department of Child Services.

**Fiscal Analyst:** Sarah Brooks, 317-232-9559.