

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 7010**

**BILL NUMBER:** HB 1778

**NOTE PREPARED:** May 15, 2007

**BILL AMENDED:** Mar 26, 2007

**SUBJECT:** Juvenile Law and Child Care.

**FIRST AUTHOR:** Rep. Summers

**FIRST SPONSOR:** Sen. Lubbers

**BILL STATUS:** Enrolled

**FUNDS AFFECTED:**  GENERAL  
 DEDICATED  
 FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) This bill applies the law concerning children in need of services to child care ministries and certain child care providers, and certain individuals who have contact with children. The bill requires the Department of Child Services and the appropriate law enforcement agency to jointly investigate a report that alleges child abuse or neglect and involves a child care ministry. It adds a definition of "child caregiver." The bill also specifies that a child who is at least 14 years of age and does not require child care services is not counted for purposes of the limit on the number of children who may be present in a child care home. It specifies that a licensed child care provider is considered to be in compliance with the federal Child Care and Development Fund voucher program requirements if the provider is not found to be in violation of the requirements. It also requires a criminal history background check for members of a child care home provider's household. The bill requires that a child care ministry refrain from employing, or allowing to serve as volunteers, certain individuals.

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

**Explanation of State Expenditures:** (Revised) *Modification of Definition of Custodian:* The bill modifies current statute and adds: (a) an owner, operator, director, manager, supervisor, employee, or volunteer at a: (1) child care ministry that is registered or required to be registered, (2) home, center, or facility of a child care provider that is eligible to receive reimbursement from the Child Care and Development Fund voucher program, and (3) home, center, or facility that is the location of a program that provides child care to serve migrant children and that is exempt from licensing; (4) a child caregiver; (5) a member of the household of a child's noncustodial parent; or (6) an individual who has direct contact, on a regular and continuing basis, with a child for whom care and supervision is provided; and an owner, operator, director, manager, or supervisor, at a foster home, child care home, or child care center; 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:* The DCS reports that there were 53 complaints of child abuse or neglect in the entities added under the bill to the definition of custodian that were not investigated. The number of these reports which would subsequently be substantiated is not known.

*Child Care Home Criminal History Background Check Requirement:* This bill allows the Family and Social Services Administration (FSSA) to deny or revoke a child care license if a determination by DCS of child abuse or neglect by a member of the applicant's/licensee's household occurs. The FSSA reports that it currently requires child abuse or neglect background checks for members of an applicant's/licensee's household. Thus, no additional fiscal impact is anticipated.

**Explanation of State Revenues:**

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

**Explanation of Local Revenues:**

**State Agencies Affected:** Department of Child Services; Family and Social Services Administration.

**Local Agencies Affected:** Counties.

**Information Sources:** John Ryan, DCS; Melanie Brizzi, FSSA.

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