

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the Legislature. LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

## FISCAL IMPACT REPORT

<b>SPONSOR</b> <u>HTRC</u>	<b>LAST UPDATED</b> <u>3/16/2023</u>
<b>SHORT TITLE</b> <u>CYFD Child ID Cards</u>	<b>ORIGINAL DATE</b> <u>2/10/2023</u> <b>BILL NUMBER</b> <u>CS/House Bill 231/HTRCS/aSHP AC</u>
	<b>ANALYST</b> <u>Chenier</u>

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT\* (dollars in thousands)

	FY23	FY24	FY25	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
		\$0-\$88.8	\$0-\$62.1	\$0-\$150.9	Recurring	General Fund

Parentheses ( ) indicate expenditure decreases.  
 \*Amounts reflect most recent analysis of this legislation.

### Sources of Information

LFC Files

Responses Received From  
 Children, Youth and Families Department (CYFD)  
 Taxation and Revenue Department (TRD)  
 Attorney General’s Office (NMAG)

## SUMMARY

### Synopsis of SHPAC Amendment to House Bill 231

The Senate Health and Public Affairs Committee amendment to the House Tax and Revenue Committee substitute for House Bill 231 increases the age for the definition of child from 12 years to 14 years and changes the requirement that the department obtain an identification card for a child to requiring the department to provide the child an opportunity to obtain a standard identification card.

### Synopsis of HTRC Substitute for House Bill 231

The House Taxation and Revenue Committee substitute for House Bill 231 would amend existing statute to grant CYFD authority to apply for and receive, on behalf of a child “who has been placed under its supervision,” an identification card and enacts new legislation requiring CYFD to apply for an identification card no later than 90 days after the child has been placed under the supervision of the department, unless the child objects. If circumstances with the child prevent this application, CYFD is to apply for the card no later than 90 days from the date when circumstances cease to prevent an application. The substitute includes a new definition of child

and specifies that the identification card should be applied for if the child has been in the custody of the department for 30 or more consecutive days.

The effective date of this bill is January 1, 2024.

## FISCAL IMPLICATIONS

The costs of implementing this bill could be absorbed within the respective agencies. However, the agencies' concerns are noted below and, in the table, above.

CYFD stated four-year nondriving identification cards are \$10 per card, eight-year nondriving identification cards are \$18 per card, and it is often necessary to first secure a birth certificate in the event that a card compliant with Real ID is required. Between the Juvenile Justice Services population, based on the FY22 unique client referral population of 4,467, and the Protective Services foster care point-in-time population of 1,746, the fiscal impact to CYFD will be an average \$62,130 per year. There is no appropriation contained within this bill, and while CYFD can absorb the fiscal implication in the first year following passage, CYFD will need additional budget in subsequent fiscal years.

TRD said implementation of this bill will have a moderate impact on the Information Technology Division of TRD. The estimated time to develop, test, and implement the changes is approximately 480 hours, or three months, for an estimated soft cost of \$26,700 for state IT resources. This bill requires configuration changes to Tapestry to allow CYFD to get identification cards for children under its supervision. Application changes also required to consider CYFD as guardian for the children applying for this identification card.

## SIGNIFICANT ISSUES

CYFD said the Protective Services Program already secures identification and similar documents for children in foster care in their regular course of business. Juvenile Justice Services do not have processes in place for obtaining identification on behalf of its clients and will require additional administrative support to establish and maintain the business process required to fulfill the mandate of this bill.

NMAG provided the following:

Under 42 U.S.C. § 675(5)(I), child welfare agencies must provide youth who leave the child welfare system at age 18 or older the original or certified copy of several vital documents including a *state identification card* or driver's license. The American Bar Association notes that it is recommended these documents be obtained well before discharge, ideally around age 16 or 17, to make sure they are available when a youth discharges and to facilitate effective discharge planning, which may include application for benefits, housing, and other crucial services that require ID. See <https://www.americanbar.org/groups/litigation/committees/childrens-rights/articles/2017/fall2017-proving-i-exist-strategies-assessting-youth-obtaining-id-docs>.