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FISCAL IMPACT REPORT

SPONSOR Jones/Armstrong/Cadena/Hernandez LAST UPDATED _____
ORIGINAL DATE 2/28/2023
BILL _____
SHORT TITLE Unpaid Child Support Court Fees NUMBER House Bill 442
ANALYST Gray

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

	FY23	FY24	FY25	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
	Indeterminate but minimal	Indeterminate but minimal	Indeterminate but minimal			
Total						

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)

Human Services Department (HSD)

Administrative Office of the Courts (AOC)

SUMMARY

Synopsis of House Bill 442

House Bill 442 declares a person filing a motion in court for unpaid child support does not have to pay the court fees associated with filing the motion. Currently, such motions result in court fees.

The bill is applicable to cases filed on or after the effective date of the act, which is set as July 1, 2023.

FISCAL IMPLICATIONS

Fees associated with motions for unpaid child support are minimal. No agency analysis stated the size of the fiscal impact, making it indeterminate for this analysis.

SIGNIFICANT ISSUES

House Bill 442 – Page 2

HB442 aligns with the strategic plan of the Human Services Department (HSD) and the goal to modernize the child support program and improve the financial and medical support of New Mexico's children.

HSD analysis identifies a few possible issues, including that the bill does not

- State the types of motions eligible for fee waiver, or
- Provide guidance for who would be eligible for waived fees.

HSD also writes:

The bill does not preclude the nonfiling party from being ordered to pay court fees associated with the motion being filed. If the intention of this bill is to do away with fees all together, then additional language is needed.

BG/al/hg