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FISCAL IMPACT REPORT

SPONSOR: Godbey DATE TYPED: 02/24/01 HB 415/aHGUAC
 SHORT TITLE: Termination of Parental Rights SB _____
 ANALYST: Dunbar

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
		See Narrative			

(Parenthesis () Indicate Expenditure Decreases)

Conflicts with HB 336

SOURCES OF INFORMATION

Children, Youth and Families Department (CYFD)

SUMMARY

Synopsis of HGUAC

The House Government & Urban Affairs Committee amendment of HB416 address a Children, Youth & Families Department concern to provide additional language on the termination of parental rights when the child has been in custody of the department for not less than 15 of the previous 22 months. The language inserted exempts such termination of parental rights when an adoption is not an appropriate plan for the child.

Synopsis of Original Bill

HB 415 amends the Abuse and Neglect Act § 32A-4-29. The bill provides amendments to the children’s code to conform to the federal requirements of the Adoption and Safe Families Act. The amendments include the mandatory requirement of concurrent planning when a motion for termination of parental rights is filed and lists the reasons preventing CYFD from filing a motion to terminate parental rights when a child is in state custody for fifteen out of twenty two months.

Significant Issues

If HB 415 is not amended, the Children Youth and Families Department will not be in compliance with federal law and this could impact funding.

ADMINISTRATIVE IMPLICATIONS

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This bill does not impact CYFD performance measures.

CONFLICT

HB 415 conflicts with HB336, which provides for mandatory filing of a motion for termination of parental rights when parent is incarcerated.

AMENDMENTS

CYFD is proposing an amendment to provide for a generic reason not to file a termination of parental rights action to protect families when there is a legitimate reason not to move forward that is not listed as part of federal requirements. Page 7, line 6 add the following: “(8) if adoption is not the appropriate plan for the child.”

GC/njw:pr:ar