Department of Planning and Budget 2010 Fiscal Impact Statement

1.	Bill Number:	HB 40				
	House of Origin	ı	Introduced		Substitute	Engrossed
	Second House		In Committee		Substitute	<u>X</u> Enrolled
2.	Patron: (Orrock				

- 3. Committee: Passed Both Houses
- **4. Title:** Disabled parent; cannot be guilty of criminal nonsupport if child is in necessitous circumstances
- **5. Summary:** Under current law a parent is not subject to prosecution for criminal nonsupport if the child receives aid under a federal or state program for aid to the permanently and totally disabled. This bill clarifies that such a parent is subject to prosecution for desertion and nonsupport of a spouse and of any children who are not receiving such aid.

6. No Fiscal Impact: Final

- 7. Budget Amendment Necessary: No
- **8. Fiscal Implications:** Child support orders would still be issued for the noncustodial parents impacted by this legislation. Therefore, there is no significant impact on collections. This bill would simply prohibit the criminal prosecution of the disabled parents.
- **9.** Specific Agency or Political Subdivisions Affected: Department of Social Services

10. Technical Amendment Necessary: None

11. Other Comments: None

Date: 3/12/2010 Document: G:\2010 Fiscal Year\10 General Assembly\2010 EFIS\Enrolled Bills\HB40er.Doc