

Department of Planning and Budget 2018 Fiscal Impact Statement

1. **Bill Number:** HB437-H1

House of Origin	<input type="checkbox"/> Introduced	<input checked="" type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. **Patron:** Herring

3. **Committee:** Courts of Justice

4. **Title:** Adoption and foster care; barrier crimes; exception.

5. **Summary:** Allows a child-placing agency to approve as an adoptive or foster parent an applicant convicted of any offense set forth in the definition of barrier crime in § 19.2-392.02 who has had his civil rights restored by the Governor or other appropriate authority, provided that eight years have elapsed following the conviction and that the applicant (i) has complied with all obligations imposed by the criminal court, (ii) has completed a substance abuse treatment program, (iii) has completed a drug test administered by a laboratory or medical professional within 90 days prior to being approved, and such test returned with a negative result, and (iv) complies with any other obligations as determined by the Department of Social Services.

6. **Budget Amendment Necessary:** No.

7. **Fiscal Impact Estimates:** See Item 8.

8. **Fiscal Implications:** This bill does not have a fiscal impact. The legislation adds an exception for the barrier crime of felony possession of controlled substances, for foster and adoptive parents approved by child placing agencies, assuming that the parent complies with all conditions placed on the exception.

The Department of Social Services (DSS) has no way of knowing the number of foster or adoptive parent applicants for whom this would apply. However, it is assumed that the number would be minimal due to the conditions placed upon the exception for the barrier crime. The additional requirements would become a part of the current checklist utilized by those responsible for approving the foster or adoptive parents. Any increased background checks resulting from this bill can be absorbed within current Office of Background Investigations (OBI) staffing levels and no systems changes will be needed due to the added exception. It is assumed that the prospective parents would pay for the drug test and treatments costs, since those conditions must be met before parents can be considered by a child-placing agency.

9. Specific Agency or Political Subdivisions Affected: Department of Social Services, local departments of social services

10. Technical Amendment Necessary: No.

11. Other Comments: None.