

## Department of Planning and Budget 2021 Fiscal Impact Statement

1. **Bill Number:** SB1321-E

House of Origin     Introduced     Substitute     Engrossed  
 Second House       In Committee     Substitute     Enrolled

2. **Patron:**      Boysko

3. **Committee:** Engrossed

4. **Title:**            Confirmatory adoption.

5. **Summary:** Expands the stepparent adoption provisions to allow a person who is not the child's stepparent but has a legitimate interest in the child to file a joint petition for adoption with the child's birth parent or parent by adoption.

6. **Budget Amendment Necessary:** Yes. Item 351.

7. **Fiscal Impact Estimates:**

7a. **Expenditure Impact:**

| <i>Fiscal Year</i> | <i>Dollars</i> | <i>Positions</i> | <i>Fund</i> |
|--------------------|----------------|------------------|-------------|
| 2021               | -              | -                | -           |
| 2022               | 84,004         | -                | General     |
|                    | 51,203         | -                | Nongeneral  |
| 2023               | 84,004         | -                | General     |
|                    | 51,203         | -                | Nongeneral  |
| 2024               | 84,004         | -                | General     |
|                    | 51,203         | -                | Nongeneral  |
| 2025               | 84,004         | -                | General     |
|                    | 51,203         | -                | Nongeneral  |
| 2026               | 84,004         | -                | General     |
|                    | 51,203         | -                | Nongeneral  |
| 2027               | 84,004         | -                | General     |
|                    | 51,203         | -                | Nongeneral  |

\*There is an annual local match of \$24,801.

8. **Fiscal Implications:** This legislation amends code language by adding a new type of private adoption, confirmatory adoption, to the stepparent statute. The bill impacts child welfare programs because local departments of social services (LDSS) are ordered by the court to complete investigations and reports for some of these private adoptions. A family services specialist at a LDSS completes the investigation and report at the end of the adoption process, and then submits it to the court prior to the final order of adoption. There is no adoption assistance funding involved in these private adoptions.

By inserting the phrase “person with a legitimate interest,” more people may seek adoption through the provisions allowed by § 63.2-1241, Code of Virginia. People that fall into this

“legitimate interest” category are not currently covered under the stepparent adoption provision. In FY 2020, the Department of Social Services (DSS) processed 894 cases of stepparent adoption. If this legislation is passed, DSS expects approximately 45 additional cases annually, a five percent increase over the total number of FY 2020 stepparent adoption cases.

Each case requires 85 work hours by a family services specialist at a local department of social services. Total additional work hours across the Commonwealth for the 45 new cases is 3,825 (45 cases x 85 work hours). Personnel costs for a family services specialist is \$87,011. This amount includes salary, benefits, and non-personnel position costs. DSS expects this legislation to cost approximately \$160,008 each year ( $[\$87,011 / 2,080 \text{ average annual working hours}] \times 3,825$ ) for the equivalent of 1.8 full time positions. The annual cost includes \$84,004 general fund, \$51,203 federal funds, and a required local match of \$24,801.

**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.