

## Department of Planning and Budget 2022 Fiscal Impact Statement

**1. Bill Number:** HB359

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

**2. Patron:** Watts

**3. Committee:** Courts of Justice

**4. Title:** Termination of parental rights of person who committed sexual assault; evidence standard.

**5. Summary:** The proposed legislation provides that the parental rights of a person who has been found by a clear and convincing evidence standard to have committed rape, carnal knowledge, or incest, which act resulted in the conception of a child, may be terminated without the need for the person to have been charged with or convicted of such offense. The bill further provides that the consent of a person found to have committed such an offense is not necessary for the validity of an adoption of such a child.

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

**7. Fiscal Impact Estimates:** Preliminary (see Item 8 below).

**8. Fiscal Implications:** The Department of Social Services reports that in each instance of a termination of parental rights (TPR), a local department of social services (LDSS) Family Services Specialist worker and a local attorney will attend the related court hearings. The Department of Social Services (DSS) estimates that three (3) hearings are conducted per TPR and each hearing requires eight (8) hours of staff time per local worker. Therefore, the cost impact to the LDSS for each TPR is less than \$5,000, which DSS reports can be absorbed within existing resources. Additionally, DSS reports that this legislation pertains to such a minimal number of adoptions that there would be no material fiscal impact on DSS nor the LDSS.

**9. Specific Agency or Political Subdivisions Affected:** Department of Social Services; Courts.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.