

Department of Planning and Budget

2018 Fiscal Impact Statement

1. Bill Number: HB1219

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

2. Patron: Reid

3. Committee: Committee Referral Pending

4. Title: Restoration of parental rights.

5. Summary: Provides that, at an annual foster care review hearing, the court shall inquire as to whether a child who is the subject of such hearing prefers that the court investigate the possibility of restoring the parental rights of such child's parent or parents, provided such child meets criteria under which his parent or parents are otherwise eligible for such restoration. The bill further provides that, where such child expresses such a preference at such hearing, the court shall direct the local board of social services or the child's guardian ad litem to conduct an investigation in order to determine whether such restoration is in the child's best interest. The bill further provides that the court shall direct such local board or guardian ad litem at such hearing to file a petition for restoration if all the circumstances under which the parent or parents are eligible for restoration are met. The bill provides that, if the court determines that a child is interested in the restoration of parental rights of his parent or parents and his circumstances otherwise meet the criteria making his parent or parents eligible for such restoration, and no petition for restoration has yet been filed, the court shall direct the local board of social services or the child's guardian ad litem to conduct an investigation in order to determine whether such restoration is in the child's best interest. The bill states that the court shall direct the local board of social services or the child's guardian ad litem to file such restoration petition where no petition has been filed but the criteria under which such a petition may be otherwise filed has been met.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: See Item 8.

8. Fiscal Implications: This bill does not have a fiscal impact. The court already has the authority to direct the local department of social services (LDSS) or the child's guardian ad litem to conduct an investigation in order to provide the court with the information necessary to determine whether restoration of parental rights would be in the child's best interest. Furthermore, state and federal law already require the LDSS to continue to explore all permanency options throughout the time a child is in foster care and state law permits the restoration of parental rights in certain circumstances. This bill does not create additional workload for the Department or the LDSS.

9. Specific Agency or Political Subdivisions Affected: Department of Social Services, local departments of social services, Juvenile and Domestic Relations District Courts

10. Technical Amendment Necessary: No.

11. Other Comments: None.