

## Department of Planning and Budget

### 2022 Fiscal Impact Statement

**1. Bill Number:** SB316-ER

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

**2. Patron:** Marsden

**3. Committee:** Passed Both Houses

**4. Title:** Juvenile records; identification of children receiving coordinated services.

**5. Summary:** Provides that for the purpose of disclosing records, information, and statistical registries of the Department of Social Services, local departments of social services, and all child-welfare agencies concerning social services, a person having a legitimate interest in child-protective services records includes the staff of (i) a court services unit, (ii) the Department of Juvenile Justice, (iii) a local community services board, or (iv) the Department of Behavioral Health and Developmental Services who are providing treatment, services, or care for a child who is the subject of such records for a purpose relevant to the provision of the treatment, services, or care when the local agencies have entered into a formal agreement with the Department of Juvenile Justice to provide coordinated services to such children. The bill provides that such formal agreements may allow the local agencies and the Department of Juvenile Justice to immediately identify children who may be receiving or who have received treatment, services, or care from the local agencies and the Department of Juvenile Justice. The bill also provides that the Department of Juvenile Justice shall develop and biennially update a model memorandum of understanding setting forth the respective roles and responsibilities of the Department, the Department of Behavioral Health and Developmental Services, the Department of Social Services, the court service units, the local departments of social services, and the community services boards or behavioral health authorities regarding the sharing of information derived from juvenile records for purposes of identifying juveniles who may be receiving or who have received treatment, services, or care from the local agencies, the Department of Juvenile Justice, or the Department of Behavioral Health and Developmental Services. The bill provides that the model memorandum of understanding developed by the Department of Juvenile Justice may satisfy the requirement for a formal agreement, but it shall be reviewed by the chief judge of the circuit court, or his designee, where such local agencies are located before such agreement takes effect. This bill is a recommendation of the Commission on Youth.

The House amendments changed the reviewer of the formal agreement from the chief judge, or his designee, where such local agencies are located, to the Office of the Attorney General.

**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 provides additional details about who may be a “person having a legitimate interest” in the confidential social services records involving a child. It also requires that the Department of Social Services develop and biennially update a model memorandum of understanding to set forth the respective roles and responsibilities of the participating agencies.

**9. Specific Agency or Political Subdivisions Affected:** Department of Social Services, local departments of social services, Department of Juvenile Justice, Department of Behavioral Health and Developmental Services

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

**11. Other Comments:** None.