

Fiscal Estimate - 2003 Session

Original
 Updated
 Corrected
 Supplemental

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| LRB Number 03-0112/2 | Introduction Number AB-476 |
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Subject
 Birth parent registry

Fiscal Effect

State:

| | | |
|--|---|---|
| <input type="checkbox"/> No State Fiscal Effect | <input type="checkbox"/> Increase Existing Revenues | <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget |
| <input type="checkbox"/> Indeterminate | <input type="checkbox"/> Decrease Existing Revenues | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| <input checked="" type="checkbox"/> Increase Existing Appropriations | | <input type="checkbox"/> Decrease Costs |
| <input type="checkbox"/> Decrease Existing Appropriations | | |
| <input type="checkbox"/> Create New Appropriations | | |

Local:

| | | |
|--|--|--|
| <input checked="" type="checkbox"/> No Local Government Costs | 5. Types of Local Government Units Affected | |
| <input type="checkbox"/> Indeterminate | <input type="checkbox"/> Towns | <input type="checkbox"/> Village <input type="checkbox"/> Cities |
| 1. <input type="checkbox"/> Increase Costs | <input type="checkbox"/> Counties | <input type="checkbox"/> Others |
| <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | <input type="checkbox"/> School Districts | <input type="checkbox"/> WTCS Districts |
| 2. <input type="checkbox"/> Decrease Costs | | |
| <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | | |
| 3. <input type="checkbox"/> Increase Revenue | | |
| <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | | |
| 4. <input type="checkbox"/> Decrease Revenue | | |
| <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | | |

| | |
|--|---------------------------------------|
| Fund Sources Affected | Affected Ch. 20 Appropriations |
| <input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input checked="" type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS | |

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| Agency/Prepared By DHFS/ Nicole Groth (608) 266-9364 | Authorized Signature Freda Ellen Bove (608) 266-2907 | Date 9/18/2003 |
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Fiscal Estimate Narratives

DHFS 9/18/2003

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| LRB Number | 03-0112/2 | Introduction Number | AB-476 | Estimate Type | Original |
| Subject | | | | | |
| Birth parent registry | | | | | |

Assumptions Used in Arriving at Fiscal Estimate

Under current law, any person claiming to be the father of a nonmarital child whose paternity has not yet been established may file a declaration of paternal interest with the Department of Health and Family Services. This declaration may be filed at any time before the termination of the father's parental rights.

AB 476 requires the declaration of paternal interest be filed either before or within 14 days of the child's birth. Additionally, the bill permits the declaration to be revoked at any time, requires the declaration or revocation to be verified upon oath or affirmation, and requires the Department to keep all declarations confidential.

The bill also requires the Department, upon request of the court or person authorized to file a CHIPS, JIPS, TPR, or adoption proceeding, to search whether a declaration of paternal interest has been filed for the child who is the subject of the proceeding or action. The Department must issue a certified copy of the declaration or a certified statement that no declaration was found to the person who requested the search. The Department is allowed to charge a reasonable fee to offset the costs of this service.

In order to track the declarations of paternal interest and respond to requests for copies of the declarations, the Department would need to develop and maintain a birth parent registry database. The cost of developing an internet-based, secure system would be a minimum of \$50,000 PRO in one-time development costs and \$3,600 PRO in annual hosting fees. It is estimated that the additional workload of maintaining this database, searching for declarations of paternal interest and issuing certified copies and statements would require a 1.0 PRO FTE Program Assistant 4. This position would have an annual ongoing cost of \$41,800 PRO and a one-time cost of \$7,200 PRO. The database and the position would be funded with program fees charged to perform the search services.

Current law requires that persons who may be the father of a nonmarital child whose paternity has not been established must be served with a summons and petition notifying the person of a termination of parental rights (TPR) proceeding involving the child. This includes persons who have filed a declaration of paternal interest, persons alleged to be the father by the mother of the child or other information, and persons who have lived in a familial relationship with the child and may be the father. This bill eliminates the requirement that a person alleged to be the father of the child be notified of a TPR proceeding. Under this bill, any person who has filed a declaration or who is "openly living" with the child and "is holding himself out to be the father" must be summoned.

Additionally, the bill specifies that a possible father of a nonmarital child is considered to be on notice that a pregnancy and TPR proceeding might result because the person had sexual intercourse with the mother of the child. This person has the duty to protect his own rights and interests and is only entitled to actual notice of the TPR proceeding as provided by this bill. Therefore, a person who has not received notice of the TPR proceeding does not have standing to appear and contest the petition unless the person appears at the hearing, establishes paternity, and proves all of the following: 1.) the person resides and has resided in another state where the mother of the child resided or was located at the time of or after the conception of the child, 2.) the mother left that state without notifying or informing the person that she could be located in this state, 3.) the person attempted to locate the mother through every reasonable means, but did not know or have reason to know that the mother was residing or located in this state, and 4.) the person has complied with the requirements of the state where the mother previously resided or was located to protect and preserve his paternal interests in matters affecting the child.

Finally, this bill requires the Department to publicize to all persons who might claim to be the father of a nonmarital child the following: 1.) that a person claiming to be the father of a nonmarital child may file a declaration of interest, 2.) the procedures for filing a declaration of interest, 3.) the consequences of filing a

declaration of interest, and 4.) the consequences of not filing a declaration of interest. To meet this provision, it is assumed that the Department would place quarterly legal notices in five newspapers across the state. The annual cost of placing these notices would be approximately \$16,000 GPR. This amount was determined by multiplying the per line cost of a classified advertisement in the Milwaukee Journal Sentinel (\$17.63) by the approximate length of the notice (45 lines) by the four quarterly notices by five newspapers.

In conclusion, this bill makes various changes regarding filing a declaration of paternal interest and specifies which persons are to be notified regarding a TPR proceeding of a nonmarital child. The bill also requires the Department to provide searches of declarations of paternal rights and to publicize information regarding the declaration. The bill would require an additional 1.0 PRO FTE and is estimated to increase ongoing costs by \$45,400 PRO and \$16,000 GPR per year and result in \$57,200 PRO in one-time costs.

Long-Range Fiscal Implications

Fiscal Estimate Worksheet - 2003 Session

Detailed Estimate of Annual Fiscal Effect

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| Subject Birth parent registry | | | |
| I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect): \$57,200 in one-time costs | | | |
| II. Annualized Costs: | | Annualized Fiscal Impact on funds from: | |
| | | Increased Costs | Decreased Costs |
| A. State Costs by Category | | | |
| State Operations - Salaries and Fringes | | \$38,700 | |
| (FTE Position Changes) | | (1.0 FTE) | |
| State Operations - Other Costs | | 22,700 | |
| Local Assistance | | | |
| Aids to Individuals or Organizations | | | |
| TOTAL State Costs by Category | | \$61,400 | \$ |
| B. State Costs by Source of Funds | | | |
| GPR | | 16,000 | |
| FED | | | |
| PRO/PRS | | 45,400 | |
| SEG/SEG-S | | | |
| III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.) | | | |
| | | Increased Rev | Decreased Rev |
| GPR Taxes | | \$ | \$ |
| GPR Earned | | | |
| FED | | | |
| PRO/PRS | | | |
| SEG/SEG-S | | | |
| TOTAL State Revenues | | \$ | \$ |
| NET ANNUALIZED FISCAL IMPACT | | | |
| | | State | Local |
| NET CHANGE IN COSTS | | \$61,400 | \$ |
| NET CHANGE IN REVENUE | | \$ | \$ |
| Agency/Prepared By | | Authorized Signature | Date |
| DHFS/ Nicole Groth (608) 266-9364 | | Fredi Ellen Bove (608) 266-2907 | 9/18/2003 |