



## Fiscal Estimate Narratives

CTS 11/5/2021

LRB Number	21-3158/1	Introduction Number	AB-0631	Estimate Type	Original
<b>Description</b> Various changes to the safe haven law					

### Assumptions Used in Arriving at Fiscal Estimate

Current law allows a parent to relinquish a newborn who is younger than 72 hours to law enforcement or a medical provider (provision known as "safe haven." The person receiving the child is required to protect the health and safety of the child and deliver the child to the intake worker for the juvenile court.

This bill makes changes to the law, requiring the person taking custody to make a reasonable effort to provide the parent with a brochure and form which provides information on remaining anonymous, steps to take if the parent changes his or her mind about relinquishment, an explanation of the importance of knowing the child's social and medical history, and an explanation of the importance to an Indian child of maintaining a social and cultural connection to his or her tribe.

The bill also requires the person who takes custody to encourage the parent to provide this information at a later date to either the county in which the child was relinquished, or DCF.

The bill also requires that for children held in custody, the court must transfer guardianship and legal custody to a public adoption agency for placement in foster care, and the proposed adoptive parent must acknowledge there is no guarantee the adoption will be finalized. Any Indian child is subject to state and federal Indian Child Welfare Act requirements.

Termination of parental rights must be filed by Corporation Counsel or district attorney within the county where the relinquishment took place.

The bill clarifies that a person must file a foundling birth record for an infant who is relinquished under the safe haven law in addition to filing that it is unknown parentage. It imposes additional requirements on the state registrar for maintaining those records.

The state court system will be responsible for creating and/or updating training and reference materials related to "Safe Haven" relinquishment. Circuit court forms, jury instructions, and the juvenile benchbook may also require updates. Any cost associated with these updates are likely to be absorbed as a part of normal updates that occur are planned and occur as a result of changes to law and policy.

While it is possible that the expanded timeframes for relinquishment and addition of Indian child relinquishment procedures could potentially result in additional "Safe Haven" cases appearing before circuit courts, these cases occur with relative infrequency and any impact is likely to be minimal at the county level.

No state or local fiscal effect is expected.

### Long-Range Fiscal Implications