



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number:	LLS 23-0303	Date:	February 3, 2023
Prime Sponsors:	Rep. Gonzales-Gutierrez; Epps Sen. Exum	Bill Status:	House Judiciary
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Bill Topic: RELATIVE & KIN PLACEMENT OF A CHILD

Summary of Fiscal Impact:	<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
	<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill enacts several measures related to the placement of children or youth with relatives or kin. The bill increases state expenditures in FY2023-24 only and impacts state and local workload on an ongoing basis beginning in FY 2023-24.

Appropriation Summary: For FY 2023-24, the bill requires an appropriation of \$21,352 to the Department of Human Services.

Fiscal Note Status: The fiscal note reflects the introduced bill.

**Table 1
State Fiscal Impacts Under HB 23-1024**

		Budget Year FY 2023-24	Out Year FY 2024-25
Revenue		-	-
Expenditures	General Fund	\$13,879	-
	Federal Funds	\$7,473	-
	Total Expenditures	\$21,352	-
Transfers		-	-
Other Budget Impacts	General Fund Reserve	\$2,082	

Summary of Legislation

The bill enacts several measures related to the placement of children and youth temporarily placed out-of-the-home with relative or kin. These measures include:

- allowing relatives to appeal denied placements;
- requiring courts to inquire about and update relative or kin affidavits;
- requiring county department of human services to assist relatives in obtaining resources to care for a child or youth and providing options to participate in their care and planning;
- specifying what must be included in notices from county department of human services to relatives or kin when a child or youth is removed from their home;
- requiring courts to prioritize placements with relative or kin and presume that placement with them is in the child or youth's best interest, unless the placement jeopardizes their health, safety or welfare;
- requiring courts provide reasoning when placement with relative or kin is denied; and
- requiring caseworkers to inform courts of efforts to place the child or youth with a relative.

State Expenditures

The bill increases state expenditures in the Department of Human Services (DHS) by \$21,352 in FY 2023-24, paid from the General Fund and federal funds, as described below. The bill also impacts workload in the Judicial Department, Office of Child's Representative (OCR), and the Office of Respondent Parents' Counsel (ORPC).

Department of Human Services. The DHS will have a one-time cost of \$21,352 to modify TRAILS, its child welfare data system, to provide caseworkers with the functionality to notify relatives and identified kin. This cost includes business analysis, development, quality assurance, and training. TRAILS upgrade costs receive a 35 percent federal match, with the remaining costs coming from the General Fund.

Judicial Department. Workload in trials courts may increase from a greater number of appeals filed and additional or longer hearings in dependency and neglect cases. Assuming county departments of social services and the courts follow the requirements of the bill to place children with relatives when appropriate, the number of appeals filed is assumed to be limited. Further, any increase in hearing time will likely only apply to a subset of cases. For these reasons, this workload can be managed within existing resources by the trial courts.

Independent Judicial Offices Involved in Child Welfare. Starting in FY 2023-24, the bill will impact workload in the OCR and the ORPC. First, workload may increase due to the appellate rights granted to relatives or kin that are denied placement, which will increase case length. However, workload may decrease to the extent that the number of foster parent intervener cases are reduced leading to shorter cases. The fiscal note assumes that any change in workload or costs to these agencies will be addressed through the annual budget process.

Local Government

This bill may increase workload and costs for county department of human services. Giving appellate rights for relatives and kin in child welfare cases may result in delays in permanency placements for children and youth in some cases. Depending on the temporary placement in these cases, counties can incur costs. Furthermore, the expanded efforts to locate and involve kin and relatives in the process can add to county caseworker workload. Additionally, the county department of human services is required to provide necessary resources to relatives and kin, within reasonable limits, to facilitate placements. These costs and workload impacts will vary by county.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State Appropriations

For FY 2023-24, the bill requires a total appropriation of \$21,352 to the Department of Human Services, including:

- \$13,879 from the General Fund; and
- \$7,473 from federal funds.

State and Local Government Contacts

Child Welfare
Human Services

Counties
Information Technology

District Attorneys