

**FINAL
FISCAL NOTE**

Drafting Number: LLS 12-0278	Date: July 18, 2012
Prime Sponsor(s): Sen. Nicholson Rep. Gardner B.	Bill Status: Signed into Law
	Fiscal Analyst: Bill Zepernick (303-866-4777)

TITLE: CONCERNING EXPANDING THOSE PERSONS ELIGIBLE AS GUARDIANS IN THE GUARDIANSHIP ASSISTANCE PROGRAM TO INCLUDE PERSONS ASCRIBED BY THE FAMILY AS HAVING A FAMILY-LIKE RELATIONSHIP WITH THE CHILD.

Fiscal Impact Summary	FY 2012-2013	FY 2013-2014
State Revenue		
State Expenditures		
FTE Position Change		
Effective Date: The bill was signed into law by the Governor on April 6, 2012, and takes effect August 8, 2012, assuming no referendum petition is filed.		
Appropriation Summary for FY 2012-2013: None required.		
Local Government Impact: See Local Government Impact section.		

Summary of Legislation

The bill allows persons with a family-like relationship to a child to receive guardianship assistance if they:

- are committed to the child's permanency;
- have assumed guardianship of the child; and
- were foster parents of the child when they assumed guardianship.

The Department of Human Services is required to promulgate rules to implement this change. Under current law, only relatives are eligible for guardianship assistance.

Background

The guardianship assistance program provides financial assistance to people who have assumed guardianship of a child to whom they provide foster care. Guardianship assistance is an optional service for counties. Guardianship assistance payments encourage foster parents to enter into a more permanent relationship with the child (rather than remaining in foster care until age 18) and provide support to guardians to care for children from foster care who can have social, behavioral, or psychological problems stemming from previous abuse or neglect and the difficulties of being placed in out-of-home care.

Local Government Impact

For counties that have guardianship assistance programs, the bill may increase costs in some areas and create savings in others. Generally, this analysis assumes that the savings will outweigh the costs. Counties that do not have guardianship assistance programs are not affected by the bill.

Counties may incur the following potential costs to expand their guardianship assistance programs to persons with a family-like relationship to a child:

- certifying and training additional foster homes for non-relatives who could potentially assume guardianship;
- legal services to finalize guardianships and perform background checks on potential guardians;
- monthly financial assistance to guardians, based on the needs of the child and county-specific policies.

Potential savings for counties include:

- reduced placement costs from shifting children from foster care to guardianships, as guardianship assistance payments are required to be less than the monthly foster care maintenance payments;
- less caseworker time to monitor children in foster care once guardianships are finalized;
- other general savings and reduced legal service and court costs that result from having fewer children in foster care.

Departments Contacted

Human Services

Law

Judicial

Counties