

SENATE BILL NO. 5

1st Special Session

Introduced and Referred to Committee on Finance & Claims:

11/16/81

Hearing: 11/19/81

## Special Session I

Senate BILL NO. 5

BY REQUEST OF THE DEPARTMENT OF  
SOCIAL AND REHABILITATION SERVICES

6 A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE  
7 REQUIREMENT THAT A COUNTY REIMBURSE THE DEPARTMENT OF SOCIAL  
8 AND REHABILITATION SERVICES FOR PAYMENTS OF SUPPORT OF YOUTH  
9 IN NEED OF CARE; ELIMINATING THE DIVISION BETWEEN THE STATE  
10 AND COUNTY OF AMOUNTS COLLECTED FROM PARENTS AND  
11 GUARDIANSHIP ASSETS; AMENDING SECTIONS 41-3-104 AND  
12 41-3-105, MCA; AND PROVIDING AN EFFECTIVE DATE."

14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15           Section 1. Section 41-3-104, MCA, is amended to read:  
16           "41-3-104. Payment for support of youth in need of  
17 care ---reimbursement-by-county. (1) Whenever agreements are  
18 entered into by the department of social and rehabilitation  
19 services for placing a youth in need of care in a licensed  
20 family foster home, child care agency, group home, or  
21 treatment facility, the department shall pay by its check or  
22 draft each month from any funds appropriated for that  
23 purpose the entire amount agreed upon for board, clothing,  
24 personal needs, and room of the children.

127--On or before the 20th of each month the department

1 shall--present--a--claim--to--the--county--of--residence--of--the  
2 children--for--no--more--than--one--half--the--payments--as--made  
3 during--the--month--the--county--must--make--reimbursement--to--the  
4 department--within--28--days--after--the--claim--is--presented.  
5  
6 t37121 The department shall conduct or arrange for the  
7 review required under 41-5-807 of a child placed in a  
8 licensed family foster home, child care agency, group home,  
9 or treatment facility if the child is placed under the  
10 supervision of the department or placed by the department or  
11 the department pays for the care of the child as set forth  
in this section."

12                   Section 2. Section 41-3-105, MCA, is amended to read:

13                   "41-3-105. Recovery from parents or guardianship

14 assets ---divided-between-state-and-county. (b) In the

15 event any recovery is made from the parent or parents or

16 guardianship assets of children for whom board, clothing,

17 personal needs and fees have been paid by the state and

18 county, any amount so recovered shall be divided equally

19 between the department and the county of residence of such

20 child or children.

21        t2} Any amount collected from the parents or  
22 guardianship assets when a child is placed in a foster home,  
23 child care agency, group home, or private treatment facility  
24 shall be transmitted to the department of social and  
25 rehabilitation services. The-department-shall--then--pay--to

1     the county one-half of the amount so collected.

2     Section 3. Effective date. This act is effective on

3     January 1, 1982.

-End-

## STATE OF MONTANA

REQUEST NO. 2-SP-81

## FISCAL NOTE

Form BD-15

In compliance with a written request received November 16, 1981, there is hereby submitted a Fiscal Note for Senate Bill 5 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

## DESCRIPTION OF PROPOSED LEGISLATION:

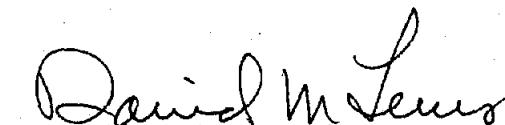
Senate Bill 5 is an act eliminating the requirement that a county reimburse the Department of Social and Rehabilitation Services for payments of support of youth in need of care.

## ASSUMPTIONS:

1. The act will be effective January 1, 1982.
2. Foster care caseloads do not increase above present level.

## FISCAL IMPACT:

	<u>FY 82</u>	<u>FY 83</u>	<u>Biennium</u>
Expenditures under current law			
Benefits and Claims	\$3,356,980	\$3,692,678	\$7,049,658
Funding under current law			
General Fund	1,254,333	1,419,373	2,673,706
Federal Fund	1,043,551	1,108,299	2,151,850
County Fund	<u>1,059,096</u>	<u>1,165,006</u>	<u>2,224,102</u>
Total	3,356,980	3,692,678	7,049,658
Expenditures under proposed law			
Benefits and Claims	\$3,356,980	\$3,692,678	\$7,049,658
Funding under proposed law			
General Fund	1,783,881	2,584,379	4,368,260
Federal Fund	1,043,551	1,108,299	2,151,850
County Fund	529,548	-0-	529,548
Total	\$3,356,980	\$3,692,678	\$7,049,658
Increased general fund expenditures under proposed law	<u>\$529,548</u>	<u>\$1,165,006</u>	<u>\$1,694,554</u>

  
 Daniel M. Lewis  
 BUDGET DIRECTOR  
 Office of Budget and Program Planning  
 Date: 12/17/81

**LOCAL IMPACT:**

The county poor fund levies of the various counties will experience a cost savings equal to the amount of the increased general fund participation under this proposal.