

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

1
2 INTRODUCED BY REGAN
3 BY REQUEST OF THE DEPARTMENT OF
4 SOCIAL AND REHABILITATION SERVICES

5
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."

13
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.

25 ~~{2}--On-or-before-the-28th-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-so-made~~
3 ~~during-the-month-The-county-must-make-reimbursement-to-the~~
4 ~~department-within-28-days-after-the-claim-is-presented.~~

5 {3}{2} The department shall conduct or arrange for the
6 review required under 41-5-807 of a child placed in a
7 licensed family foster home, child care agency, group home,
8 or treatment facility if the child is placed under the
9 supervision of the department or placed by the department or
10 the department pays for the care of the child as set forth
11 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 ---division-between-state-and-county. {1}--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--room--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 {2} 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, 19 81, 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	1,059,096	1,165,006	2,224,102
Total	<u>3,356,980</u>	<u>3,692,678</u>	<u>7,049,658</u>
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	<u>\$3,356,980</u>	<u>\$3,692,678</u>	<u>\$7,049,658</u>
Increased general fund expenditures under proposed law	<u>\$529,548</u>	<u>\$1,165,006</u>	<u>\$1,694,554</u>

David 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.