

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: House Bill 153

SHORT TITLE: Dependent Juvenile Definition Change

SPONSOR(S): Representative Easterling

FISCAL IMPACT

Yes () No (X) No Estimate Available ()

FY 1997-98 FY 1998-99 FY 1999-00 FY 2000-01 FY 2001-02

REVENUES

EXPENDITURES

No Fiscal Impact

POSITIONS:

PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: Division of Social Services and Judicial Department

EFFECTIVE DATE: October 1, 1997

BILL SUMMARY: *AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO IMPROVE THE DEFINITION OF "DEPENDENT JUVENILE".* Amends definition of dependent juvenile in GS 7A-517(13). Under current law, a dependent juvenile is one whose parent, guardian, or custodian is unable to provide care because of physical or mental incapacity and appropriate alternative child care is absent. This bill deletes the reference to the physical or mental incapacity language and is replaced by the parent's inability to provide for the child's care. Effective Oct. 1, 1997, and applicable to adjudications of dependency on or after that date.

ASSUMPTIONS AND METHODOLOGY: Division of Social Services and Judicial Department

Currently, a juvenile is deemed dependent when the "parent, guardian, or custodian, due to physical or mental incapacity and the absence of an appropriate alternative child care arrangement, is unable to provide for the care or supervision." The proposed bill removes the language about incapacity, so a juvenile would be dependent when a parent (etc.) "is unable to

provide for the care or supervision and lacks an appropriate alternative child care arrangement.” The intent of this legislation, as recommended by the Child Fatality Task Force, is to provide assistance to juveniles who may slip through the cracks due to the incapacity language. The Division of Social Services (DSS) does not have any data relating to the number of additional juveniles who may be deemed delinquent due to this change. The Division of Social Services anticipates, however, that this number would not be significant. Based on this information, the Judicial Department does not believe this bill would have a major impact on court resources devoted to juvenile dependency cases. Subsequently, no fiscal impact is anticipated at this time.

TECHNICAL CONSIDERATIONS:

FISCAL RESEARCH DIVISION

733-4910

PREPARED BY: Charles Perusse and Karen Hammonds-Blanks

APPROVED BY: Tom L. Covington **Tom C**

DATE: March 18, 1997



Signed Copy Located in the NCGA Principal Clerk's Offices