

Fiscal Note & Local Impact Statement

127th General Assembly of Ohio

Ohio Legislative Service Commission
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BILL: **Am. Sub. H.B. 181**

DATE: **May 29, 2008**

STATUS: **As Recommended by Conference
Committee**

SPONSOR: **Rep. Setzer**

LOCAL IMPACT STATEMENT REQUIRED: **No — Minimal cost**

CONTENTS: **Makes changes to laws governing missing child school record keeping and investigations and child placement plan reviews and hearings, and declares an emergency**

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

LOCAL GOVERNMENT	FY 2008	FY 2009	FUTURE YEARS
School Districts			
Revenues	- 0 -	- 0 -	- 0 -
Expenditures	- 0 -	Potential minimal increase	Potential minimal increase
Townships, Municipalities, and Counties – Law Enforcement Agencies			
Revenues	- 0 -	- 0 -	- 0 -
Expenditures	Potential increase	Potential increase	Potential increase

Note: For most local governments, the fiscal year is the calendar year. The school district fiscal year is July 1 through June 30.

- Public and nonpublic schools may experience minimal increases in expenditures as a result of marking the records of students identified as missing children and notifying law enforcement agencies of requests for those records.
- Law enforcement agencies may experience minimal increases in expenditures if they choose to locate and notify the last school in which a child reported as missing was enrolled.
- County and municipal civil courts may experience an increase in administrative costs for the court to meet with the child and consider both in-state and out-of-state placement options when deciding on a permanency plan for the child.
- The bill contains an emergency clause. It will become effective as soon as the Governor signs the bill.



Detailed Fiscal Analysis

Missing child school record keeping and investigations

The bill requires a public or nonpublic school to mark the records of a missing student when the school is notified by a law enforcement agency that the student is the subject of a missing child report. It also requires a public or nonpublic school to notify the law enforcement agency when the missing child's records are requested. When responding to such a request, the public or nonpublic school is required to ensure that the receiving district or school will not be able to tell that the student's records have been marked. Upon notification by a law enforcement agency that the child is no longer missing, the public or nonpublic school is required to remove the mark from the student's records.

Public and nonpublic schools may experience minimal increases in expenditures as a result of marking the records of students identified as missing children and communicating with law enforcement agencies when missing students' records are requested. According to the Buckeye Association of School Administrators, it is likely that school districts would simply attach a note to a student's permanent enrollment card. Currently, a student's permanent enrollment card is generally photocopied for the school in which the student subsequently enrolls. The bill permits, but does not require, a law enforcement agency to notify the school that a child has been reported as missing. If a law enforcement agency chooses to notify the school, it may incur minimal increases in expenditures as a result of determining in which school the child was most recently enrolled and then notifying that school that the child has been reported as missing.

Current law requires law enforcement agencies to assist and cooperate with each other in missing child investigations. The bill specifies that such assistance and cooperation need to follow the agreed-upon terms. It also specifies that when law enforcement agency employees provide services related to missing child investigations outside their jurisdiction, they are covered by the state Sovereign Immunity Law, any indemnity fund established by their employer, and the state Workers' Compensation Law to the same extent as if providing services within their jurisdiction. These provisions do not appear to have any additional fiscal effects beyond current law.

Review hearings that pertain to permanency plans

The bill provides that, in any review hearing that pertains to a permanency plan for a child who will not be returned to the parent, the court must consider in-state and out-of-state placement options and must determine whether the in-state or the out-of-state placement continues to be appropriate and in the best interests of the child and that in any review hearing that pertains to a permanency plan, the court or a citizens' board appointed by the court must consult with the child, in an age-appropriate manner, regarding the proposed permanency plan for the child. To

the extent that a court is not already doing this, there may be some additional administrative costs to meet with the child and consider all placement options when deciding on a permanency plan for the child.

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