

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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FISCAL IMPACT STATEMENT

LS 7269

BILL NUMBER: HB 1282

NOTE PREPARED: Feb 10, 2023

BILL AMENDED: Feb 9, 2023

SUBJECT: Limitation of Liability for DCS Contractors.

FIRST AUTHOR: Rep. Judy

FIRST SPONSOR:

BILL STATUS: 2nd Reading - 1st House

FUNDS AFFECTED: GENERAL
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill limits the civil liability of contractors that provide specified services under a contract with the Department of Child Services.

Effective Date: Upon passage.

Explanation of State Expenditures: (Revised) *Department of Child Services (DCS):* The bill does not apply to an act done or omitted that constitutes a criminal defense, gross negligence, or willful or wanton misconduct. As a result, this provision could increase state expenditures for civil actions against the DCS for instances of gross negligence, or willful or wanton misconduct.

DCS Contractors: The bill expands immunity from civil liability to the DCS contractors. To the extent the DCS is liable for civil actions against a DCS contractor, the bill could reduce state expenditures by avoiding costs for litigation and, if any, civil fines and court fees.

Explanation of State Revenues: (Revised) *Court Fee Revenue:* If this bill increases potential civil filings against the DCS, revenue from court fees may be impacted. However, increase in revenue from court fees are expected to be small.

Explanation of Local Expenditures:

Explanation of Local Revenues: (Revised) *Court Fee Revenue:* If this bill increases potential civil filings against the DCS, revenue from court fees may be impacted. However, increases in revenue from court fees are expected to be small.

State Agencies Affected: Department of Child Services.

Local Agencies Affected: Courts.

Information Sources:

Fiscal Analyst: Corrin Harvey, 317-234-9438.