

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

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**FISCAL IMPACT STATEMENT**

**LS 7269**

**BILL NUMBER:** HB 1282

**NOTE PREPARED:** Mar 16, 2023

**BILL AMENDED:** Feb 9, 2023

**SUBJECT:** Limitation of Liability for DCS Contractors.

**FIRST AUTHOR:** Rep. Judy

**FIRST SPONSOR:** Sen. Brown L

**BILL STATUS:** CR Adopted - 2<sup>nd</sup> 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:** *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:** *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:** *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.