



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 19-1288

FISCAL NOTE

Drafting Number: LLS 19-0988 Date: April 10, 2019
Prime Sponsors: Rep. Singer; Duran Bill Status: House Public Health
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Bill Topic: FOSTER YOUTH SIBLING BILL OF RIGHTS

Summary of Fiscal Impact:
State Revenue, State Expenditure (minimal), State Transfer, TABOR Refund, Local Government, Statutory Public Entity

This bill establishes certain rights for siblings who are in foster care. The bill increases state and local expenditures and workload on an ongoing basis.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This fiscal note reflects the introduced bill.

Summary of Legislation

This bill establishes certain rights for siblings in foster care, unless the rights are not in the best interests of one of the siblings. These include the rights to:

- be placed in foster care homes with siblings;
• be placed in close geographical distance to siblings;
• obtain temporary respite placements together, when possible;
• be placed with families and professionals who have had training on the importance of sibling relationships;
• be notified about changes in sibling placement or catastrophic events;
• be included in permanency planning discussions;
• maintain frequent and meaningful contact;
• be involved in each other's lives and share celebrations;
• annually receive contact information for all siblings;
• have private communications;
• be provided an explanation if contact with a sibling is restricted or denied;
• expect that a guardian ad litem will advocate for request contact and visits with siblings;
• have contact with siblings in any adoptive or guardianship placement; and
• receive age-appropriate documents from the county department of human services describing these rights.

In addition, the bill allows an adult sibling of a youth in foster care to have the right to be considered as a foster care provider, adoptive parent, and relative custodian to their sibling. Finally, the bill requires a county department of human services to develop a sibling contact plan for youth with siblings in foster care.

## **State Expenditures**

Starting in FY 2019-20, the bill will increase workload in the Department of Human Services, the Judicial Department, and various independent judicial agencies, as described below.

**Human Services.** Workload in the Department of Human Services will increase to promulgate rules to implement the bill. The fiscal note assumes that this workload can be accomplished within existing appropriations.

**Trial courts.** To the extent that the courts interpret these rights as additional placement criteria, workload to the trial courts may increase due to longer permanency hearings. The fiscal note assumes that any increase in workload will be minimal and can be accomplished within existing appropriations.

**Independent judicial agencies.** Workload will increase to the Office of the Child's Representative (OCR) and the Office of the Respondent Parent's Counsel to the extent the bill results in more hearings in dependency and neglect proceedings. In addition, workload for the OCR will increase to undertake additional advocacy for foster siblings. The fiscal note assumes that any increase in workload is minimal and can be accomplished within existing appropriations.

## **Local Government**

Costs and workload for county departments of human services will increase in order to create and implement sibling contact plans, as required by the bill, and to ensure that the rights of siblings are adhered to. Sibling contact plans will require additional work for caseworkers to develop, write, and implement the plans.

## **Effective Date**

The bill takes effect August 2, 2019, if the General Assembly adjourns on May 3, 2019, as scheduled, and no referendum petition is filed.

## **State and Local Government Contacts**

Counties      Human Services      Information Technology      Judicial