



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2023 Biennium

**Bill #** SB0259

**Title:** Restrict governmental entity from interfering with parental rights

**Primary Sponsor:** Manzella, Theresa

**Status:** As Introduced

- Significant Local Gov Impact     
  Needs to be included in HB 2     
  Technical Concerns  
 Included in the Executive Budget     
  Significant Long-Term Impacts     
  Dedicated Revenue Form Attached

### FISCAL SUMMARY

	<u>FY 2022</u> <u>Difference</u>	<u>FY 2023</u> <u>Difference</u>	<u>FY 2024</u> <u>Difference</u>	<u>FY 2025</u> <u>Difference</u>
<b>Expenditures:</b>				
General Fund	\$0	\$0	\$0	\$0
<b>Revenue:</b>				
General Fund	\$0	\$0	\$0	\$0
<b>Net Impact-General Fund Balance:</b>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

**Description of fiscal impact:** SB 259 prohibits the State from interfering with the rights of parents to direct the upbringing, education, healthcare, and mental health of their children. SB 259 does not prohibit the State from performing work related to child abuse and neglect, thus there is no fiscal impact to the Department of Public Health and Human Services (DPHHS).

### FISCAL ANALYSIS

**Assumptions:**

1. New section 1 (2) is explicit that it may not be construed as invalidating the provisions of Title 41, chapter 3 (Child Abuse and Neglect) or modify the burden of proof at any stage of the proceedings under Title 41, chapter 3.
2. If a parent prevails in an action against the governmental entity, due to a parent's fundamental rights being violated, the parent is entitled to reasonable attorney fees and costs. The frequency and magnitude of such decisions against the State cannot be reasonably determined.

**NO SPONSOR SIGNATURE**  
*Sponsor's Initials*

2/23  
*Date*

Rassano for KA  
*Budget Director's Initials*

2/22/21  
*Date*