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FISCAL IMPACT REPORT

SPONSOR: Sanchez, M. DATE TYPED: 02/12/03 HB _____

SHORT TITLE: 13th District Child Support Hearing Officer SB 439

ANALYST: Hayes

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
\$5.0	\$70.0			Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

REVENUE

Estimated Revenue		Subsequent Years Impact	Recurring or Non-Rec	Fund Affected
FY03	FY04			
\$10.0	\$140.0		Recurring	Federal

(Parenthesis () Indicate Revenue Decreases)

Relates to HB 227 and HB 52

SOURCES OF INFORMATION

Responses Received From
13th Judicial District Court

SUMMARY

Synopsis of Bill

Senate Bill 439 appropriates \$75.0 from the general fund to the 13th Judicial District Court for the purpose of funding a fulltime child support hearing officer for the remainder of fiscal year 2003 and for fiscal year 2004.

SB 439 contains an emergency clause so that this act can take effect immediately.

Significant Issues

1. According to the 13th district, having an additional child support hearing officer would ensure that approximately 6,500 existing cases in Valencia, Sandoval and Cibola counties will be pursued, and a backlog of unpaid child support will be increased by an estimated \$2.9 million.
2. With matching federal funds using a 2-1 formula, the New Mexico Human Services Department Child Support Enforcement Fund supports funding for child support hearing officers around the state. There are existing Joint Power Agreements (pursuant to NMSA, Section 40-4B-1 et seq. (1994 Repl. Pamp.)) between the New Mexico Human Services Department and several district courts that allow for the provision of hearing officers and support staff to provide expeditious disposition of child support cases.
3. SB 439 allows for an immediate general fund appropriation for FY03 in the amount of \$5,000. This general fund appropriation would be matched by federal funds totaling \$10,000. The proposed FY04 appropriation is \$70,000 which would be matched by \$140,000 in federal funds.
4. Since the salary of a child support hearing officer is approximately \$70.0, it is unclear why the general fund appropriation request in this bill is so high. A \$70.0 salary plus benefits would translate to a total need of \$90.0. The general fund request should only be \$30.0, with anticipated matching funds of \$60.0. The full amount needed, \$90.0, would then be realized. Are there other expenses included in the amount being requesting in SB 439? Staff, capital items, travel money, supplies, a vehicle?

FISCAL IMPLICATIONS

Of the appropriation amount contained in this bill (\$75.0), \$70.0 is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2004 shall revert to the general fund.

RELATIONSHIP

HB 52 increases salaries for Supreme Court justices, all state judges, special commissioners and hearing officers effective July 1, 2003.

HB 227 provides for an increase in the number of child support hearing officers and support staff within the Human Services Department.

TECHNICAL ISSUES

The 13th district suggests that the general fund portion for the child support hearing officer be appropriated directly to the Human Services Department Child Support Enforcement Fund instead of the court.