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## FISCAL IMPACT REPORT

ORIGINAL DATE 1-20-06  
 SPONSOR Picraux LAST UPDATED 1-23-06 HB 213  
 SHORT TITLE Domestic Violence Prevention Services SB \_\_\_\_\_  
 ANALYST David Lucero

### APPROPRIATION (dollars in thousands)

| Appropriation |           | Recurring<br>or Non-Rec | Fund<br>Affected |
|---------------|-----------|-------------------------|------------------|
| FY06          | FY07      |                         |                  |
|               | \$3,000.0 | Recurring               | General Fund     |
|               |           |                         |                  |

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates SB 221, Relates to HB58 and SB124.

Relates to Appropriation in the General Appropriation Act

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

CYFD

New Mexico Corrections Department – “No Impact”

### SUMMARY

House Bill 213 appropriates \$3.0 million from the general fund for expenditure in 2007 to Children, Youth and Families Department (CYFD) for the purpose of funding contractual services for domestic violence prevention and service response providers. The appropriation includes \$1,000.0 for shelter care and shelter improvements, expansion and supplies; \$1,500.0 to provide adolescent counseling and crisis intervention for victims of domestic violence and their children; and \$500.0 to provide training and education in public schools and other community centers that provide services to families dealing with domestic violence.

### FISCAL IMPLICATIONS

This appropriation was not included in the Department’s budget request; however the executive recommendation includes \$3.0 million dollars (\$3.0) for expanded statewide domestic violence services.

The appropriation of \$3.0 million dollars contained in this bill is a RECURRING expense to the GENERAL FUND. Any unexpended or unencumbered balance remaining at the end of 2007 shall revert to the GENERAL FUND.

### **SIGNIFICANT ISSUES**

The bill specifies \$1.0 million for shelter care and shelter improvements, expansion and supplies. Providing a general fund appropriation for shelter improvements and expansion may violate the anti-donation statute. Perhaps a revolving fund can provide low or no interest loans to providers.

### **PERFORMANCE IMPLICATIONS**

The bill does not specify an improved level of performance associated with the increased funding. It is unclear if the bill seeks to reduce the incidents of domestic violence, provide for an increased level of service, or increase the number of clients served.

CYFD believes the bill would positively impact the department's performance measures including: "Number of adult victim witnesses receiving domestic violence services", "Percent of adult victims receiving domestic violence services who show improved client competencies in social, living, coping and thinking skills", and "Percent of adult victims receiving domestic violence services living in a safer, more stable environment"; however the majority of the appropriation is geared toward children, adolescents, shelter improvements, expansion and supplies..

### **ADMINISTRATIVE IMPLICATIONS**

CYFD will not be compensated for the increased administrative cost of contracting these services. The administrative cost to release requests for proposals, to monitor the contract performance, and performance measure reporting is not considered in the bill.

### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

This bill duplicates SB221

This bill relates to HB 058 and SB 124 which also appropriate \$3.0 million to CYFD for domestic violence. HB58 and SB124 declare an emergency and are also for shelter improvements and services for children who are victims of domestic violence.

This bill relates to HB12 which appropriates \$100, thousand for a Shiprock domestic violence shelter.

### **TECHNICAL ISSUES**

The contract with an eligible provider shall specify and ensure state funds are not used for any religious, sectarian or denominational purposes, instruction or material.

### **OTHER SUBSTANTIVE ISSUES**

**Child and adolescent data:** (An Analysis of 2004 Data from the New Mexico Interpersonal Violence Data Central Repository Betty Caponera, PhD, June 2005)

- More children (7,170) received services from DV service providers in 2004, which represents a 35% increase over 2003
- There were 4,463 children present at the scene of their family violence episodes in 2004.

- 75% of children who witnessed domestic violence incidents were 11 years old and under as reported by DV Service Providers.
- 34% (2,292) of the children victim-witnesses were between 0-5 and 41% (2,742) age 6-11.
- 30% (1,708) of children victim-witnesses as reported by domestic violence service providers' experienced physical abuse and 5% (253) experienced sexual abuse.

**From the Family Violence Prevention Fund Website:**

On January 5, 2006 President Bush signed the Violence Against Women Act of 2005 into law. The Violence Against Women Act of 2005 contains groundbreaking initiatives to help children exposed to violence, train health care providers to support victims of abuse, encourage men to teach the next generation that violence is wrong, and provide crisis services for victims of rape and sexual assault. H.R. 3402 is part of the Department of Justice Reauthorization Act of 2005. It also continues efforts to improve the law enforcement response to violence against women and provide supportive services, such as transitional housing, to women and children forced to leave their homes because of violence. "The Violence Against Women Act of 2005 provides cities and towns with the tools they need to combat domestic violence, assist victims and go after abusers when it occurs."

First passed in 1994, the Violence Against Women Act was the first federal law to comprehensively address violence against women. It was re-authorized in 2000, continuing the essential work begun earlier and adding important services for immigrant, rural, disabled and older women.

The new re-authorization will expand and extend the law for five years, with funding appropriated at approximately \$3.9 billion. Congress must determine actual authorization levels each year, however, and does not always fund programs at the levels in the appropriation.

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Status quo.

DL/nt