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FISCAL IMPACT REPORT

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| SPONSOR <u>Lord/Diamond</u> | LAST UPDATED <u>3/10/23</u> |
| | ORIGINAL DATE <u>1/23/23</u> |
| SHORT TITLE <u>Free Cultural Services for Foster Families</u> | BILL NUMBER <u>House Bill 35/aHf1#1/aSIRC</u> |
| | ANALYST <u>Chenier</u> |

REVENUE* (dollars in thousands)

| Estimated Revenue | | | Recurring or Nonrecurring | Fund Affected |
|-------------------|------------------|------------------|---------------------------|--|
| FY23 | FY24 | FY25 | | |
| | Less than \$15.0 | Less Than \$15.0 | Recurring | Game Protection Fund/DCA Enterprise Fund/State Parks |

Parentheses () indicate revenue decreases.

*Amounts reflect most recent analysis of this legislation.

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

| | FY23 | FY24 | FY25 | 3 Year Total Cost | Recurring or Nonrecurring | Fund Affected |
|--|------|---------------------------|---------------------------|-------------------|---------------------------|---------------|
| | | Indeterminate but minimal | Indeterminate but minimal | | Recurring | General Fund |

Parentheses () indicate expenditure decreases.

*Amounts reflect most recent analysis of this legislation.

Sources of Information

LFC Files

Responses Received From

Children, Youth and Families Department (CYFD)

Department of Game and Fish (DGF)

Energy Minerals and Natural Resources Department (EMNRD)

SUMMARY

Synopsis of SIRC Amendment

The Senate Indian, Rural and Cultural Affairs Committee amendment to House Bill 35 expands the population served by the free cultural services to children in the custody of tribes.

Synopsis of HFI#1 Amendment

The House Floor Amendment to House Bill 35 changes references of “youth” to “young adult” and clarifies that one of the agencies responsible for providing free cultural services is the State Game Commission instead of the Department of Game and Fish.

Synopsis of Original Bill

House Bill 35 amends existing statute to expand the population eligible for free admission to state-owned museums and state parks to include “youth enrolled in the foster connections program and children who are in the custody of the Children, Youth and Families Department”; and to expand the eligible programs to include camping passes “for up to three consecutive nights of overnight access to a state park” and “a fishing license”.

This bill does not contain an effective date and, as a result, would go into effect June 16, 2023, (90 days after the Legislature adjourns) if signed into law.

FISCAL IMPLICATIONS

EMNRD provided the following:

The State Parks division of the Energy, Minerals and Natural Resources Department (EMNRD) relies upon self-generated funds for 75 percent of its operating budget. These funds derive from fees for day-use, camping, and facility rental. Camping fees provide approximately 75 percent of these self-generated revenues. Currently, foster parents, children in the custody of foster parents, and CYFD clientele and accompanying CYFD staff who are New Mexico residents are already provided with free annual admission to state parks. The annual budget impact for these admissions for each of the last four years has been less than one thousand dollars per year, an equivalent of 400 free day-use passes per year.

However, the bill adds a free three-night camping pass to the offered cultural services for foster families. Camping passes and their associated facility rentals cost between \$8 and \$18 per night. If the bill is enacted, and imagining that approximately 400 foster families would take advantage of this program, annual revenue in the amount of \$7,200 would be lost.

DGF said a six-year average from FY17 to FY22 of children in foster care, foster care with a relative, trial home visit, and pre-adoption placement indicates approximately 2000 children would qualify for the free fishing license (CYFD 2022 Annual Report - https://cyfd.org/docs/360ANNUAL_FY22_FINAL.pdf). It is unknown how many children in foster care would require a Junior Fishing License (Age 12-17) or already fish for free under current rule (Age 11 and under). It is unknown how many qualifying foster parents currently purchase licenses and would now take advantage of the free fishing license. Based on the number of qualifying individuals and assumptions related to expected license purchase rates, they estimate an approximate fiscal impact of \$10 thousand.

CYFD said their legal department will be required to develop a “proof of identity, residency, and status” document for “youth enrolled in the foster connections program and children who are in the custody of the children, youth and families department”; and placement workers will be required to ensure that these individuals are (a) provided with these documents and (b) that these documents are recovered upon the exit of the individual from the program. The fiscal

implications of these activities will be absorbed by existing resources.

SIGNIFICANT ISSUES

As the fostering connections program is only available to eligible adults between the ages of 18 and 21, this expansion of the eligible population by this bill will be limited to “children who are in the custody of the Children, Youth and Families Department”.

TECHNICAL ISSUES

CYFD said that if the purpose of the bill is to expand the population eligible for these programs to include young adults who have entered into a voluntary services and support agreement with CYFD pursuant to the fostering connections act, that purpose will be best accomplished by changing “youth enrolled in the fostering connections program” to “young adults enrolled in the fostering connections program”.

HB35 does not define if the three-night state park camping passes are provided one time per year or whether they provide three nights of camping at any time throughout the year.

EC/mg/ne/al/rl/mg