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## FISCAL IMPACT REPORT

SPONSOR Stewart ORIGINAL DATE 1-23-06  
LAST UPDATED \_\_\_\_\_ HB 58/a HCPAC  
Domestic Violence & Children's Services  
SHORT TITLE \_\_\_\_\_ SB \_\_\_\_\_  
ANALYST Lucero

### APPROPRIATION (dollars in thousands)

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

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates SB124, Relates to HB213 & SB221 and HB12

Relates to Appropriation in the General Appropriation Act

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Children, Youth and Family Department (CYFD)

Administrative Office of the Courts (AOC)

### SUMMARY

#### Synopsis of HCPAC amendment

This Consumer and Public Affairs Committee amendment changes the language in this bill which limited the expenditure from a statewide coalition provider, to a more generic, statewide service providers. This opens the opportunity to more vendors. In New Mexico, there are only two statewide coalitions which provide domestic violence services and the previous language limited the expenditure to one of the two.

#### Synopsis of Bill of Original Bill

House Bill 58 appropriates \$3,000.0 from the GENERAL FUND for expenditure in 2006 and 2007 to Children, Youth and Families Department for the purpose of contracting with a state-wide domestic violence coalition to provide needed improvements to shelters and services for children who are victims of domestic violence.

House Bill 58 declares an emergency for public peace, health and safety.

### **FISCAL IMPLICATIONS**

The appropriation of \$3,000.0 contained in this bill is a RECURRING expense to the GENERAL FUND. Any unexpended or unencumbered balances remaining at the end of 2007 shall revert to the GENERAL FUND.

This appropriation was not included in the Department's Budget Request. The Executive recommendation includes \$3,000.0 for Domestic Violence Services.

### **SIGNIFICANT ISSUES**

The bill allows for contracting with a statewide coalition to provide needed improvements to shelters and services for children who are victims of domestic violence. Currently there are only two statewide providers. This language limits the appropriation to statewide coalitions and more specifically to provide services for children.

The bill specifies that the appropriation can be used for shelter improvements. Providing a general fund appropriation for shelter improvements or capital improvements may violate the anti-donation statute. Funds which have been used to improve a non-profit or for profit provider facility may have to return the funds to the general fund if and when the asset is sold. As an alternative, a revolving fund can provide low or no interest loans to providers for shelter improvements.

### **PERFORMANCE IMPLICATIONS**

CYFD contributed the following statement:

“The bill, as written, would positively affect existing CYFD performance outcome measures of “Percent of adult victims receiving Domestic Violence services who are living in a safer, more stable environment as measured by the Domestic Violence Assessment Tool” and “Percent of adult victims receiving Domestic Violence services who show improved client competencies in social living, coping and thinking skills as measured by the Domestic Violence Assessment Tool”.”

However, the bill states “to provide needed improvements to shelters and services for children who are victims of violence; there is no mention of adults services.

CYFD contributed the following statement:

The bill would allow for increased program and service capacity statewide enabling a greater number of children who are victims of domestic violence to be served.

Administrative Office of the Courts contributed the following statement:

FY 06 is the third year that the courts are participating in performance based budgeting. This bill may have an impact on the measures of the courts in the following areas:

1. Cases disposed as a percent of cases filed
2. Percent change in case filings by case type
3. Clearance rate

**ADMINISTRATIVE IMPLICATIONS**

CYFD will absorb the additional administrative services for developing and monitoring the contract.

None to the judiciary

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

House Bill 58 duplicates Senate Bill 124

Relates to:

HB213 and SB221 which specifies:

- \$1 million for shelter care and shelter improvements..
- \$1.5 million to provide child adolescent counseling and crisis intervention for victims of domestic violence and their children
- \$500 thousand to provide training and education in public schools and other community centers that provide services to families dealing with domestic violence

HB12 is for a Shiprock domestic violence shelter

**TECHNICAL ISSUES**

Unlike HB213/SB221, this bill does not specify how much of the appropriation can be used for improvements to shelters and how much for services for children who are victims of domestic violence.

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

**OTHER SUBSTANTIVE ISSUES**

The language in the bill limits the expenditure to a contract with a statewide domestic violence coalition. Currently, CYFD is issuing RFP's for its domestic violence programming. This bill, appropriating to a statewide coalition, may undermine how CYFD is currently operating unless it intends to provide a separate "pot of money" for statewide coalitions versus the current "pot of money" for all domestic violence providers.

There are currently only two statewide domestic violence coalitions.

**ALTERNATIVES**

The bill could focus on prevention or adult victims since HB213/SB221 provides for services for children.

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

Status Quo.

DL/yr:nt

