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## FISCAL IMPACT REPORT

ORIGINAL DATE 02/21/11

SPONSOR Boitano LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE New Mexico Marriage Commission SB 491

ANALYST Peery-Galon

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY11	FY12	FY13	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
<b>Total</b>		\$75.0-\$150.0	\$75.0-\$150.0	\$150.0-\$300.0	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Children, Youth and Families Department (CYFD)  
 Human Services Department (HSD)  
 Administrative Office of the Courts (AOC)

#### No Responses Received From

Governor's Office  
 Higher Education Department  
 Municipal League  
 Association of Counties

### SUMMARY

#### Synopsis of Bill

Senate Bill 491 creates the New Mexico Marriage Commission and administratively attaches the commission to the Children, Youth and Families Department. The purpose of the proposed legislation is to create a commission to explore ways that state and local governments can partner with private organization to reduce teen pregnancy; encourage engaged fatherhood, family formation, healthy marriages and best practices for relationships; create better social, health and economic outcomes for children; and reduce the rate of unnecessary divorces in New Mexico.

The commission is to consist of 13 member appointed by the governor to include the following: a representative from the Governor's Office; a state senator appointed by the Senate President Pro Tempore; a state representative appointed by the Speaker of the House of Representatives; the secretary of Children, Youth and Families Department; a representative from the Human

Services Department; a representative from the judiciary; and seven commissioners from the public and private sector.

The proposed legislation states the New Mexico Marriage Commission is to meet at least six times annually. The commission is to do the following:

- Advise the governor and the legislature on ways to improve the social, health and economic well-being of the people of New Mexico by encouraging family formation, strengthening marriages and family units and reducing the incidence of single parenting.
- Review and analyze all laws, rules, programs and policies of the state of New Mexico that pertain to marriage licensing, marital dissolution and public assistance to ensure that those services do everything possible to promote the institution of marriage and engaged fatherhood and provide support for children.
- Collect and analyze data on the social, health and economic outcomes of marriage and divorce within the state of New Mexico.
- Increase public awareness of the problems of families, including divorce, violence, poverty, substance abuse and lack of access to community systems and support.
- Analyze and propose programs, policies, initiatives, incentives and community-based partnerships, including those that may be funded by Temporary Assistance for Needy Families (TANF), that may be utilized or developed to: encourage and support strong, healthy, long-term marriages; encourage the formation and maintenance of two-parent families; analyze ways to reduce the incidence of births to single parents; strengthen existing families and teach marriage, communication, conflict resolution and parenting skills and help couples to understand gender differences; encourage postponing parenthood until after both parents have attained post-secondary education or job training; and promote responsible fatherhood.
- Analyze the policy considerations and issues involved in encouraging or requiring counseling or mediation prior to divorce and providing such counseling or mediation with public funds.
- Report annually before October 1 to an appropriate legislative interim committee and the governor on marriage issues.

The New Mexico Marriage Commission is to terminate on July 1, 2015 pursuant to the provisions of the Sunset Act. The board shall continue to operate according to the provisions of this proposed legislation until July 1, 2016 at which time the act will be repealed.

## **FISCAL IMPLICATIONS**

CYFD reported all fiscal support for the meetings, department representation and administrative support for the extensive review, analysis, public awareness campaign, program development and annual reports called for by the proposed legislation would have to be absorbed by existing funding resources.

HSD reported there would be costs associated with the creation of the New Mexico Marriage Commission. Costs include policy development, data reports, staff time, travel time for meetings and preparation time for the annual report. Also, the proposed legislation has no provisions for funding for expenses incurred in meeting its initiatives, such as outreach, published surveys and data collection.

HSD noted the proposed legislation calls for the review of public assistance programs, specifically the TANF program. TANF provides states with a block grant to provide cash assistance to needy families and educational/training programs. HSD reported efforts in meeting the goals of the proposed legislation would be strained due to several budget cuts made in state fiscal year 2011 to programs funded with the TANF block grant that sustain direct cash assistance and support services benefits to TANF recipients. TANF does not have the appropriations to expand on any support services.

Both CYFD and HSD reported the need for additional administrative resources to implement the goals of the proposed legislation. The proposed legislation also requires data collection, outreach and an annual report. Given the absence of a detailed scope of work activities, the estimated fiscal impact of the proposed legislation is \$75 thousand to \$150 thousand per year.

### **SIGNIFICANT ISSUES**

CYFD noted that while research suggests that stable marriages have a strong correlation to producing healthy children and contributing positively to society and the economy, correlation does not causation.

### **ADMINISTRATIVE IMPLICATIONS**

CYFD reported all administrative support for the meetings, department representation and administrative support for the extensive review, analysis, public awareness campaign, program development and annual reports called for by the proposed legislation will have to be absorbed by existing resources.

HSD reported there would be a need for additional administrative resources for policy development, data reports and preparation of the annual report.

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