

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 6917

BILL NUMBER: HB 1324

DATE PREPARED: Dec 29, 1999

BILL AMENDED:

SUBJECT: Grandparent visitation rights.

FISCAL ANALYST: John Parkey

PHONE NUMBER: 232-9854

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill expands grandparent visitation rights to allow a grandparent to petition a court for visitation rights with a grandchild regardless of the marital status of the child's parents, unless a paternal grandparent is seeking visitation with a child born out of wedlock and the child's father has not established paternity. The bill expands the factors that the court may consider when determining whether the grandparent visitation is in the best interests of the child. It provides for appointment by the court of a guardian ad litem or court appointed special advocate for a child who is the subject of a proceeding for grandparent visitation.

Effective Date: July 1, 2000.

Explanation of State Expenditures:

Explanation of State Revenues: Revenue from filing fees may increase if more grandparents petition the court for visitation rights. The filing fee for a civil action is \$100. The State General Fund receives 70% of the filing fee for cases filed in trail courts, and 50% of the fee for cases filed in a city or town court.

Explanation of Local Expenditures: This bill may increase the caseloads in the affected courts. Trail court operating expenses are paid from the county general fund. The general fund of the city or town in which the court is located pays the operating expenses of city and town courts.

Any additional costs associated with the possible increased use of guardians ad litem or court appointed special advocates could be recovered by the user fees a court may assess under existing law.

Explanation of Local Revenues: The county general fund receives 27% of the \$100 civil action filing fee for cases filed in trail court. The other 3% is deposited in the general fund of the cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a circuit, superior,

county, or municipal court located in the county. If the civil action is filed in a city or town court, the county general fund receives 25% and the city or town general fund receives the remaining 25%.

State Agencies Affected:

Local Agencies Affected: Trial courts, city and town courts.

Information Sources: