

Department of Legislative Services  
Maryland General Assembly  
1999 Session

FISCAL NOTE

House Bill 54 (Delegate Owings) (Bv Request)

Judiciary

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**Custody - Natural Parents - Controlled Dangerous Substance Violation**

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This bill prohibits a court from awarding custody to a natural parent who has been found guilty of a controlled dangerous substance violation.

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**Fiscal Summary**

**State Effect:** Potential significant increase in general fund and federal fund expenditures. No effect on revenues.

**Local Effect:** Potential indeterminate increase in expenditures. No effect on revenues.

**Small Business Effect:** None.

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**Fiscal Analysis**

**State Expenditures:** This bill could result in more children becoming wards of the State in cases where both parents have drug convictions or where the only available parent has a drug conviction. Statistics regarding people who have been convicted of drug offenses are not readily available. It is believed that the number of parents who could be rendered ineligible for custody by this bill could be significant, however. The fiscal 2000 average estimated monthly cost for foster care is \$1,277 per child. Foster care expenses are paid 71% with general funds and 29% with federal funds.

**Local Expenditures:** It is not clear to what extent this bill would require courts to check the criminal records of parents before awarding custody. If criminal record checks are required, local governments and/or the State could incur additional costs and/or workload.

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**Information Source(s):** Maryland State Bar Association (Family Law Section),  
Department of Legislative Services

**Fiscal Note History:** First Reader - February 3, 1999

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