

OFFICE OF FISCAL ANALYSIS

Legislative Office Building, Room 5200
Hartford, CT 06106 ◊ (860) 240-0200
<http://www.cga.ct.gov/ofa>

sSB-1091

AN ACT CONCERNING THE DEFINITION OF DOMESTIC VIOLENCE, REVISING STATUTES CONCERNING DOMESTIC VIOLENCE, CHILD CUSTODY, FAMILY RELATIONS MATTER FILINGS AND BIGOTRY OR BIAS CRIMES AND CREATING A PROGRAM TO PROVIDE LEGAL COUNSEL TO INDIGENTS IN RESTRAINING ORDER CASES.

OFA Fiscal Note

State Impact:

| Agency Affected | Fund-Effect | FY 22 \$ | FY 23 \$ |
|---|-----------------------------|-----------|-----------|
| Judicial Dept. | GF - Cost | 803,080 | 821,172 |
| State Comptroller - Fringe Benefits ¹ | GF - Cost | 249,072 | 256,544 |
| Office of Early Childhood; Social Services, Dept. | GF - Potential Cost | See Below | See Below |
| Insurance Dept. | GF - Potential Revenue Gain | Minimal | Minimal |
| Resources of the General Fund | GF - Revenue Loss | 1,250,000 | 1,250,000 |

Note: GF=General Fund

Municipal Impact: None

Explanation

Section 1-3 adds coercive control to the definition of domestic violence and makes victims of such behavior eligible for support and a civil restraining order. This change is anticipated to result in up to an additional 4,000 petitions for a restraining order. In order to accommodate the increase in petitions, it is anticipated that the Judicial

¹The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 41.3% of payroll in FY 22 and FY 23.

Department will have to hire up to six additional clerks and family relations counselors for each of the busiest Judicial Districts (Bridgeport, Hartford, New Britain, New Haven, Norwich, and Waterbury) at a cost of \$603,080 annually for salaries and \$249,072 for fringe benefits.

Each restraining order application must be served by a state marshal, resulting in a cost of approximately \$200,000 annually.

Sections 12-14 could result in a cost to the Department of Social Services (DSS) and Office of Early Childhood (OEC) associated with providing temporary assistance to domestic violence victims while waiving certain income standards for at least 90 days from the date of application.²

The number of individuals who would qualify for assistance under the bill is unknown. For context, the average cost per case for 90 days of benefits is approximately \$3,480 for Care4Kids and \$610 for State Administered General Assistance.

Section 12 requires 90 days of expedited assistance under the Supplemental Nutrition Assistance Program (SNAP) to the extent allowed under federal law. SNAP benefits are federally-funded and subject to federal regulations. While domestic violence victims are not currently entitled to expedited SNAP benefits under federal regulations, the state could incur administrative costs to support system adjustments if this change were to be implemented.

Section 15-17 results in a potential minimal revenue gain to the General Fund to the extent the Insurance Department assesses additional fines or penalties for violations of the Connecticut Unfair Insurance Practices Act (CUIPA). The bill prohibits life insurers from discriminating based on status as a victim of domestic violence and makes such actions a violation of CUIPA. CUIPA fines can range from

² The bill requires the state to exclude the income of the victim's credibly accused spouse, domestic partner, or other household member when considering eligibility for SAGA and SNAP.

\$5,000 per violation up to a maximum of \$250,000 in aggregate penalties per entity in any six-month period.

Section 18-19 establishes a grant program to provide legal assistance to indigent individuals when applying for temporary restraining orders, resulting in a revenue loss of \$1,250,000 in FY 22 and FY 23. The grant program is to be administered by the Connecticut Bar Foundation.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

*Sources: Department of Social Services Caseload Information
Office of Early Childhood Caseload and Utilization data*