

# JLBC Fiscal Note

**BILL #** HB 4049

**TITLE:** attorney general; legal counsel; exemption

**SPONSOR:** Fink

**PREPARED BY:** Maggie Rocker

**STATUS:** House Engrossed

## **Description**

The bill would permit the Department of Child Safety (DCS) to hire legal counsel. Currently, the Attorney General (AG) serves as legal counsel for DCS. The bill also requires the AG or appointed counsel to represent the state's interests in certain circumstances rather than DCS as a client. In these circumstances, the AG or appointed counsel is required to conduct an independent review of the record and advise the court of its assessment of the case.

## **Estimated Impact**

We estimate the bill will generate additional costs to the extent that the AG decides in certain cases to represent the state's interests in court rather than DCS' interests, which may then result in DCS hiring its own counsel. We do not have means of determining in advance how often that would happen.

The fiscal impact could be much broader if DCS decides to hire its own counsel across the board for dependency, severance, guardian and adoption proceedings. If that were to occur, the AG's budget of 276 FTE positions and \$29.9 million could potentially be transferred to DCS.

Neither DCS nor the AG has responded to our request for their perspective.

3/5/2026