LEGISLATIVE BILL 126

Introduced by McGill, 26.
Read first time January 11, 2013
Committee: Judiciary

A BILL

FOR AN ACT relating to appropriations; to amend sections 43-3718, 43-3719, and 43-3720, Revised Statutes Cumulative Supplement, 2012; to state intent relating to the Court Appointed Special Advocate Fund; to add and change provisions relating to grants; to harmonize provisions; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,
Section 1. It is the intent of the Legislature to appropriate to the Court Appointed Special Advocate Fund $500,000 for FY2013-14 and $500,000 for FY2014-15.

Sec. 2. Section 43-3718, Revised Statutes Cumulative Supplement, 2012, is amended to read:

43-3718 The Court Appointed Special Advocate Fund is created. The fund shall be under the control of the Supreme Court and administered by the State Court Administrator. The fund shall be used for grants as provided in section 43-3719. The fund shall consist of transfers authorized under section 29-3921, appropriations, grants, donations, gifts, devises, and bequests. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act. Interest earned shall be credited back to the fund.

Sec. 3. Section 43-3719, Revised Statutes Cumulative Supplement, 2012, is amended to read:

43-3719 (1) The Supreme Court shall award grants from the Court Appointed Special Advocate Fund as provided in subsection (2) of this section to any court appointed special advocate program that applies for the grant and:

(a) Is a nonprofit organization organized under section 501(c)(3) of the Internal Revenue Code;

(b) Has the ability to operate statewide; and

(c) Has an affiliation agreement with local programs that
meet the requirements of section 43-3706.

(2) The Supreme Court shall award grants up to the amount credited to the fund per fiscal year as follows:

(a) Up to ten thousand dollars may be used by the court to administer this section;

(b) Of the remaining amount, eighty percent, but no more than three hundred thousand dollars, shall be awarded as grants used to recruit new court appointed special advocate volunteers and to defray the cost of training court appointed special advocate volunteers;

(c) Of the remaining amount, ten percent, but no more than fifty thousand dollars, shall be awarded as grants used to create innovative programming to implement the Court Appointed Special Advocate Act; and

(d) Of the remaining amount, ten percent, but no more than fifty thousand dollars, shall be awarded as grants used to expand court appointed special advocate programs into counties that have no programs or limited programs.

Sec. 4. Section 43-3720, Revised Statutes Cumulative Supplement, 2012, is amended to read:

43-3720 (1) Each applicant who is awarded a grant under section 43-3719 shall provide the Supreme Court, Clerk of the Legislature, and Governor prior to December 31 of each year a report regarding the grant detailing:

(1) (a) The number of court appointed special advocate
volunteers trained during the previous fiscal year;

(b) The cost of training the court appointed special
advocate volunteers trained during the previous fiscal year;

(c) The number of court appointed special advocate
volunteers recruited during the previous fiscal year;

(d) A description of any programs described in
subdivision (2)(d) of section 43-3719;

(e) The total number of courts being served by court
appointed special advocate programs during the previous fiscal year;

and

(f) The total number of children being served by
court appointed special advocate volunteers during the previous fiscal year.

The report submitted to the Clerk of the Legislature
shall be submitted electronically.

(2) The Supreme Court, as part of any application process
required for a grant pursuant to section 43-3719, may require the
applicant to report the information required pursuant to subsection
(1) of this section.

Sec. 5. Original sections 43-3718, 43-3719, and 43-3720,
Revised Statutes Cumulative Supplement, 2012, are repealed.