

Updated to reflect amendments adopted through March 15, 2010.

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *				
	FY 2010-11		FY 2011-12	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	3,556			
CASH FUNDS	350,000			
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	353,556			

*Does not include any impact on political subdivisions. See narrative for political subdivision estimates.

This bill, as amended, changes provisions relating to juveniles. It authorizes a pilot project to implement civil citations, and it requires school districts to report data to the Department of Education.

The amended bill will establish the Truancy Intervention Task Force consisting of the Commissioner of Education, the Probation Administrator and the Chief Executive Officer of HHS. The task force will evaluate the data that is sent to the department, including excessive absence, suspension, expulsion, referrals for excessive absence and contact with law enforcement. The task force will develop recommendations on how to reduce truancy and report to the Legislature on or before July 1, 2011.

The amended bill will authorize the use of videoconferencing in certain juvenile proceedings, and it outright repeals sec. 43-287.01 to sec. 43-287.06, which relate to the juvenile review panels.

The amended bill will add language to provide that in distributing funds provided under the County Juvenile Services Aid Program, counties shall prioritize programs and services that will reduce the juvenile detention population.

The amended bill will provide a process for juvenile records to be sealed. Sealing a record means that the record will not be available to the public except upon order of a court for good cause shown.

The amended bill will transfer \$350,000 from the Probation Program Cash Fund to the Violence Prevention Cash Fund. The Office of Violence Prevention shall distribute the funds through a grant process to organizations and governmental entities for the reduction of street and gang violence and the reduction of homicides and injuries caused by firearms.

The Crime Commission, Department of Motor Vehicles (DMV), and University of Nebraska estimate no fiscal impact.

The Department of Education (NDE) estimates a one-time cost of \$3,556 for developing a data collection website for reporting required by this amended bill.

The Department of Health and Human Services (HHS) states that it is not possible to determine the fiscal impact of LB0800 AM2109. The HHS response follows:

LB0800 AM2109 includes amendments to LB0800 and the addition of LB0923.

LB0800 AM2109 could still impact Probation and county diversion programs due to increases in juveniles served under civil citation which would have a fiscal impact on Probation and the counties. However, there may be a corresponding reduction in the number of youth being made state wards if they were served through these diversion programs. The fiscal impact to DHHS due to possible population reductions is undetermined.

LB0800 AM2109 removes LB0800 Section 10 and eliminates those provisions of LB0800 Section 9 which could have resulted in an increase in expenditures for therapeutic services. The provisions in LB0800 Sections 9 and 10 would have allowed the court to order the department to provide therapeutic (e.g. Mental Health and Substance Abuse) services to the parents, guardians, or custodians of delinquent juveniles; however the LB0800 AM2109 amendments would eliminate the fiscal impact to the Department of Health and Human Services.

LB0800 AM2109 Section 21 (LB0800 Section 17) authorizing videoconferencing still might result in some saving in travel costs to the department.

LB0800 AM2109 Section 31 does not reduce the time frame for evaluations as would have occurred with LB0800 Section 25 so there would be no potential increase in the cost of the Comprehensive Child and Adolescent Assessment (CCAA) for OJS.

It is not possible to determine the fiscal impact of LB0800 AM2109 to the Department of Health and Human Services.

IMPACT ON POLITICAL SUBDIVISIONS: Douglas County estimates that civil citations will increase the number of referrals to the Juvenile Assessment Center (JAC). They estimate 400 youth per year could receive a civil citation. This could require 2 additional Juvenile Specialists because currently each Specialist is assigned an average of 220 cases per year. The salary for each Specialist is \$27,976, plus benefits. Each Specialist will require a computer at \$1,500 each. An additional \$3,000 will be needed to enhance the CMS to track the additional youth.