

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 126

Introduced by McGill, 26.

Read first time January 11, 2013

Committee: Judiciary

A BILL

1 FOR AN ACT relating to appropriations; to amend sections 43-3718,
2 43-3719, and 43-3720, Revised Statutes Cumulative
3 Supplement, 2012; to state intent relating to the Court
4 Appointed Special Advocate Fund; to add and change
5 provisions relating to grants; to harmonize provisions;
6 and to repeal the original sections.

7 Be it enacted by the people of the State of Nebraska,

1 Section 1. It is the intent of the Legislature to
2 appropriate to the Court Appointed Special Advocate Fund \$500,000 for
3 FY2013-14 and \$500,000 for FY2014-15.

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

6 43-3718 The Court Appointed Special Advocate Fund is
7 created. The fund shall be under the control of the Supreme Court and
8 administered by the State Court Administrator. The fund shall be used
9 for grants as provided in section 43-3719. The fund shall consist of
10 transfers authorized under section 29-3921, appropriations, grants,
11 donations, gifts, devises, and bequests. Any money in the fund
12 available for investment shall be invested by the state investment
13 officer pursuant to the Nebraska Capital Expansion Act and the
14 Nebraska State Funds Investment Act. Interest earned shall be
15 credited back to the fund.

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

18 43-3719 (1) The Supreme Court shall award grants from the
19 Court Appointed Special Advocate Fund as provided in subsection (2)
20 of this section to any court appointed special advocate program that
21 applies for the grant and:

22 (a) Is a nonprofit organization organized under section
23 501(c)(3) of the Internal Revenue Code;

24 (b) Has the ability to operate statewide; and

25 (c) Has an affiliation agreement with local programs that

1 meet the requirements of section 43-3706.

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

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

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

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

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

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

21 43-3720 (1) Each applicant who is awarded a grant under
22 section 43-3719 shall provide the Supreme Court, Clerk of the
23 Legislature, and Governor prior to December 31 of each year a report
24 regarding the grant detailing:

25 ~~(1)~~-(a) The number of court appointed special advocate

1 volunteers trained during the previous fiscal year;

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

4 ~~(3)–(c)~~ The number of court appointed special advocate
5 volunteers recruited during the previous fiscal year;

6 ~~(4)–(d)~~ A description of any programs described in
7 subdivision (2)(d) of section 43-3719;

8 ~~(5)–(e)~~ The total number of courts being served by court
9 appointed special advocate programs during the previous fiscal year;
10 and

11 ~~(6)–(f)~~ The total number of children being served by
12 court appointed special advocate volunteers during the previous
13 fiscal year.

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

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

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