

**FISCAL NOTE**  
**LEGISLATIVE FISCAL ANALYST ESTIMATE**

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2013-14</b>		<b>FY 2014-15</b>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	1,977,126		6,020,644	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<b>1,977,126</b>		<b>6,020,644</b>	

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

This bill would change provisions of the juvenile justice system.

The following table summarizes the impact to Department of Health and Human Services:

ITEMS	FY2013-14		FY2014-15	
	Number of Positions	Expenditures	Number of Positions	Expenditures
CFS Specialist	12.00	32.00	428,064	1,141,504
CFS Specialist Supervisor	2.00	5.00	88,641	221,603
Benefits			206,683	545,243
Operating			347,226	916,008
Aid+			906,511	3,196,286
<b>TOTAL</b>	<b>14.00</b>	<b>37.00</b>	<b>1,977,126</b>	<b>6,020,644</b>

+ Expenditures such as detention, tracker, electronic monitoring, and medical.

See the agency response following for additional details. The HHS response also notes areas where they could incur additional expenses but HHS cannot estimate these expenses at this time.

The Supreme Court estimates that General Fund expenditures for services and staff could increase under this bill but any increase has not been determined at this time. See the Court's response following for additional details.

The Department of Motor Vehicles and the Nebraska State Patrol both estimate no fiscal impact from this bill.

<b>ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSES</b>			
LB: <b>LB 562</b>	AM:	AGENCY/POLT. SUB: <b>Nebraska State Patrol (064)</b>	
REVIEWED BY: Joe Wilcox		DATE: March 4 <sup>th</sup> , 2013	PHONE: (402) 471-4178
COMMENTS: Concur with agency analysis of No Fiscal Impact on the Nebraska State Patrol.			

<b>ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSES</b>			
LB: <b>LB 562</b>	AM:	AGENCY/POLT. SUB: <b>Dept. of Health and Human Services (025)</b>	
REVIEWED BY: Joe Wilcox		DATE: March 4 <sup>th</sup> , 2013	PHONE: (402) 471-4178
COMMENTS: The Department of Health and Human Services estimate of fiscal impact from LB 562 includes additional personnel and operating costs to handle continuation of providing services for juveniles after age 18, through age 21. The agency cost assumptions appear reasonable.			

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES

LB: <b>LB 562</b>	AM:	AGENCY/POLT. SUB: <b>Supreme Court (005)</b>
REVIEWED BY: Joe Wilcox	DATE: March 4 <sup>th</sup> , 2013	PHONE: <a href="tel:4024714178">(402) 471-4178</a>
COMMENTS: The Supreme Court estimate of fiscal impact from LB 562 is that the agency costs are undetermined at this time.		

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES

LB: <b>LB 562</b>	AM:	AGENCY/POLT. SUB: <b>Department of Motor Vehicles (024)</b>
REVIEWED BY: Joe Wilcox	DATE: January 30 <sup>th</sup> , 2013	PHONE: <a href="tel:4024714178">(402) 471-4178</a>
COMMENTS: Concur with agency analysis of No fiscal impact on the Department of Motor Vehicles.		

NEBRASKA DEPARTMENT OF MOTOR VEHICLES

Prepared by: Gary Ryken      Date Prepared: 05-Mar-13      Phone: 471-3902      Fax: 471-9594  
 Email: gary.ryken@nebraska.gov

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	FY 2013-2014		FY 2014-2015	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

Explanation of Estimate:

No fiscal impact is anticipated.

MAJOR OBJECTS OF EXPENDITURE				
POSITION TITLE	NUMBER OF POSITIONS		FY 2013-2014	FY 2014-2015
	13-14	14-15	EXPENDITURES	EXPENDITURES
Benefits .....	_____	_____	_____	_____
Operating .....	_____	_____	_____	_____
Travel .....	_____	_____	_____	_____
Capital Outlay .....	_____	_____	_____	_____
Aid .....	_____	_____	_____	_____

Capital Improvements

Total

.....  
.....

\$ -

\$ -

# 2013 Legislative Bill Proposal Fiscal Note

Bill Proposal #: LB 562

State Agency: Nebraska State Patrol

Prepared by: Carol Aversman

Approved by:

Date Prepared: 2/28/2013 Phone: (402)479-4945

## Estimate of Fiscal Impact – State Agencies

	FY 2012 - 2013		FY 2013 - 2014		FY 2014 -2015	
	Expenditures	Revenue	Expenditures	Revenue	Expenditures	Revenue
General Funds						
Cash Funds						
Federal Funds						
Other Funds						
Total Funds						

**Explanation of Estimate:**

**No Fiscal Impact.**

## Major Objects of Expenditure

**Personal Services:**

Position Title:	Number of Positions			2012 - 2013	2013- 2014	2014-2015
	12-13	13-14	14-15	Expenditures	Expenditures	Expenditures
Benefits						
Operating						
Travel						
Capital Outlay						
Aid						
Capital Improvements						
<b>TOTAL</b>						

Please complete ALL (5) blanks in the first three lines.

**2013**

**LB<sup>(1)</sup> 562 FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Supreme Court

Prepared by: <sup>(3)</sup> Eric Asboe Date Prepared: <sup>(4)</sup> 3/1/13 Phone: <sup>(5)</sup> 1-4138

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2013-14</u>		<u>FY 2014-15</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

Explanation of Estimate:

The fiscal impact of LB 562 is contained in Section 3 that extends juvenile court jurisdiction to age 21. It is assumed that services would still be provided to age 21 if found to be necessary by the court. Depending on the source and type of service General Fund expenditures could increase. An estimate of increased service expenditures has not been determined at this time. In addition, caseloads for juvenile probation officers and workload for related support staff would also increase since it is assumed the number of juveniles that stay on probation would increase. An estimate of the additional positions that would be required due to an increase in workload has not been determined at this time.

**MAJOR OBJECTS OF EXPENDITURE**

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2013-14 EXPENDITURES</u>	<u>2014-15 EXPENDITURES</u>
	<u>13-14</u>	<u>14-15</u>		
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

State Agency or Political Subdivision Name:(2) Department of Health and Human Services

Prepared by: (3) Willard Bouwens

Date Prepared:(4) 3-4-13

Phone: (5) 471-8072

	<u>FY 2013-2014</u>		<u>FY 2014-2015</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
<b>GENERAL FUNDS</b>	\$1,977,126		\$6,020,644	
<b>CASH FUNDS</b>				
<b>FEDERAL FUNDS</b>				
<b>OTHER FUNDS</b>				
<b>TOTAL FUNDS</b>	\$1,977,126	\$0	\$6,020,644	

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

**Explanation of Estimate:**

LB562 Sec. 3 would provide that:

Sec. 3. If a juvenile is adjudicated to be a juvenile described in subdivision (1), (2), or (3) of section 43-247 and, when the individual reaches nineteen years of age, he or she is receiving services or is in a placement pursuant to the disposition of the juvenile court, the juvenile court's jurisdiction over such individual shall continue until the individual reaches twenty-one years of age or the court otherwise discharges the individual from its jurisdiction.

It is assumed that if the court's jurisdiction over OJS juveniles would continue to age 21 that the Department would also continue to incur expenditures for services ordered by the court including detention, tracker, and electronic monitoring services as well as supportive services and medical expenses. Medical expenses incurred while a juvenile was in detention but were not billed as a separate service cannot be determined. Given that the current capacity of detention facilities might not be able to accommodate the entire population of juveniles committed to detention (almost all juveniles are currently released from detention upon attaining age 18), the additional expenditures for tracker and electronic monitoring would be greater and would offset any decreases in detention costs. Costs for additions to existing juvenile facilities or new facilities are not estimated.

With an operative date of July 1, 2013, based on the current expenditures for 18-year old juveniles who would remain under jurisdiction of the court, the estimated expenditures for the FY 2013-14 would be \$906,511. For FY2014-15, with a population of 17-year old juveniles turning age 18 together with the original population of 18-year old juveniles, the estimated expenditures for services would be \$3,196,286. Estimated expenditures by the third fiscal year would be over \$5.4M.

Correspondingly additional staff would be required to maintain supervision of the juveniles remaining under court jurisdiction. There were 191 juveniles age 18 and 327 juveniles age 17 as of December 2012. Assuming that the 18-year old age group would represent the prospective monthly population for the first year and the combined total of 518 juveniles would represent the juvenile population for the second year, 12 additional staff (CFS Specialist) and 2 supervisors (CFS Specialist Supervisor) [Juvenile Service Officers and Supervisors] would be needed for the first year and 32 staff and 5 supervisors by the second year. By the third year potential population of juveniles still under court supervision would be approaching 845 and more staff would be required at that point. The estimated total cost of staffing for FY2013-14 is \$1,070,615 and for FY2014-15 \$2,824,358.

Besides the increased cost due to services and staff the Department would also incur additional expenses for the following items which cannot be estimated at this time:

Major changes to DHHS rules and regulations (NAC 390) in regards to the court's jurisdiction of state wards to 21. New rules and regulations would have to be written to address how DHHS would serve juveniles from 19 to 21 years of age since age of majority is 19.

Minor changes would have to be made to DHHS rules and regulations (NAC 390) in regards to adding training for foster parents on prohibiting the use of seclusion for disciplinary purposes and how to use seclusion as a short-term emergency procedure to protect the safety of the juvenile.

Major changes would have to be made to YRTC rules and regulations (NAC 401) and administrative regulations in regards to providing programming and services to juveniles until the age of 21

Minor changes would need to be made to YRTC rules and regulations (NAC 402) and administrative regulations in regards to prohibiting the use of seclusion for disciplinary purposes and how to use seclusion as a short-term emergency procedure to protect the safety of the juvenile.

While some of the estimated expenditures may otherwise have been incurred for juveniles age 18 to 21 in an adult court these expenditures cannot be estimated.

Estimated total expenditures for LB562, excluding those expenditures which cannot be estimated, are \$1,977,126 for FY 2013-2014 and \$6,020,644 for FY 2014-2015.

<b>MAJOR OBJECTS OF EXPENDITURE</b>				
<b>PERSONAL SERVICES:</b>				
POSITION TITLE	NUMBER OF POSITIONS		2013-2014	2014-2015
	13-14	14-15	EXPENDITURES	EXPENDITURES
CFS Specialist (C72312)	12.0	32.0	\$428,064	\$1,141,504
CFS Specialist Supervisor (R72313)	2.0	5.0	\$88,641	\$221,603
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Benefits.....			\$206,683	\$545,243
Operating.....			\$347,226	\$916,008
Travel.....				
Capital Outlay.....				
Aid.....			\$906,511	\$3,196,286
Capital Improvements.....				
<b>TOTAL.....</b>			<b>\$1,977,126</b>	<b>\$6,020,644</b>