

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

Updated to include the response of Douglas County.

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2021-22		FY 2022-23	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	See Below			
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

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

This bill would change provisions relating to placement and commitment of juveniles.

The Supreme Court estimates that this bill could have a General Fund impact on Probation Administration for detention costs, changes to protocols, and the case management system, but any impact cannot be determined at this time.

This bill may increase the population at the youth rehabilitation and treatment centers (YRTC) because current law states that a juvenile under 14 years old shall not be placed at a YRTC, but this bill adds "unless the juvenile poses a significant risk to the physical safety of other persons".

The Department of Health and Human Services (HHS) states that there needs to be physical separation of younger youth from older ones for the safety and security of the younger kids. They estimate having to construct new facilities physically apart from the current ones at the YRTC's, both for boys and girls. HHS notes that recent construction of similar facilities have cost about \$12 million.

Douglas County is estimating a cost of \$5 million per year because the bill has the potential to increase the Douglas County Youth Center by an average of 50 additional youth per year.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 537	AM:	AGENCY/POLT. SUB: Nebraska Supreme Court (05)
REVIEWED BY: Joe Wilcox	DATE: 02/03/2021	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Supreme Court estimate of potential, but Indeterminate fiscal impact to the Agency from LB 537.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 537	AM:	AGENCY/POLT. SUB: Nebraska Department of Health and Human Services (25)
REVIEWED BY: Joe Wilcox	DATE: 02/02/2021	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Department of Health and Human Services (DHHS) estimate of potential, but Indeterminate Fiscal Impact to the Agency from LB 537. DHHS is unable to estimate the potential number of youth which the provisions of the bill might address, therefore, they were unable to determine the cost impact.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 537	AM:	AGENCY/POLT. SUB: Douglas County
REVIEWED BY: Joe Wilcox	DATE: 03/02/2021	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Douglas County estimate of potential fiscal impact to the County from LB 537.		

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

2021

LB⁽¹⁾ 537

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Supreme Court

Prepared by: ⁽³⁾ Eric Asboe Date Prepared: ⁽⁴⁾ 2/2/2021 Phone: ⁽⁵⁾ 402-326-9215

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2021-22</u>		<u>FY 2022-23</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

LB537 is estimated to increase judicial workload for detention hearings, General Fund expenditures for detention and require modifications to Probation protocols and the Probation case management system. Although additional funding may be required in the future, if detention and related costs increase significantly, the amount of any increase cannot be determined at this time.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</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) Mike Michalski

Date Prepared 2-2-2021

Phone: (5) 471-6719

	<u>FY 2021-2022</u>		<u>FY 2022-2023</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	See Below		See Below	

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

Explanation of Estimate:

LB 537 allows for a juvenile under the age of 14 to be placed in a youth rehabilitation and treatment center if they pose a significant risk to the physical safety of other persons.

Best practices require a physical separation of younger youth from the older youth due to the safety and security of the younger youth. There would be a significant fiscal impact to the Department of Health and Human Services (DHHS). The YRTC's would have to establish a separate building physically apart from the currently occupied buildings for both males and females to accommodate this new population. All meals, recreation, schooling and other programming would have to take place within the designated building to avoid any intermingling. The new facility would then have to be staffed 24 hours per day, seven days per week. Recent facilities that would meet DHHS's needs built by local governments have been approximately \$12 million dollars to construct.

MAJOR OBJECTS OF EXPENDITURE

PERSONAL SERVICES:	NUMBER OF POSITIONS		2021-2022	2022-2023
	POSITION TITLE	21-22	22-23	EXPENDITURES
Benefits.....				
Operating.....				
Travel.....				
Capital Outlay.....				
Aid.....				
Capital Improvements.....				
TOTAL.....			See Above	See Above

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

2021

LB537⁽¹⁾ *Change provisions relating to placement and commitment of juveniles*

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ DOUGLAS COUNTY, NEBRASKA

Prepared by: ⁽³⁾ Kim Hawekotte, Deputy County Administrator - Juvenile Services
 Date 3/1/2021
 Phone: ⁽⁵⁾ (402) 444-6431
 Prepared: ⁽⁴⁾

Submitted by: Marcos San Martin, County Admin.

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2021-22</u>		<u>FY 2022-23</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>N/A</u>	<u>N/A</u>	<u>\$5M</u>	<u>N/A</u>

Explanation of Estimate:

NEGATIVE (DETRIMENTAL) FISCAL IMPACT TO DOUGLAS COUNTY

Douglas County anticipates that the provisions of LB537 will result in a significant increase in the population of youth housed in the Douglas County Youth Center (DCYC) facility. Current population on average is between 50–75 youth; LB537 has the potential to increase this population to 100–125 youth.

The average cost of housing a youth in DCYC detention is approximately \$275/day per youth; an annual cost of \$100,375 per youth. This anticipated population increase could result in an annual increase of up to or exceeding \$5,000,000 to DCYC in operational costs. LB537 will not incrementally increase community safety; however, the bill has the potential to drastically impact the Douglas County’s juvenile reform efforts and will mandate additional costs to counties.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22 EXPENDITURES</u>	<u>2022-23 EXPENDITURES</u>
	<u>21-22</u>	<u>22-23</u>		
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____