

FISCAL NOTE
 LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *				
	FY 2010-11		FY 2011-12	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	See Below		See Below	
CASH FUNDS	See Below		See Below	
FEDERAL FUNDS	See Below		See Below	
OTHER FUNDS				
TOTAL FUNDS				

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

This bill would authorize court-ordered conditions for juvenile court dispositions.

The Crime Commission estimates no fiscal impact. The Supreme Court does not expect a significant fiscal impact from this bill and states the following:

Section 2 of LB 936, specifically the provision that allows juvenile courts to require a juvenile on probation to pay the cost of electronic surveillance has a potential fiscal impact. The cost of juvenile electronic surveillance is currently a cash fund expenditure of the Office of Probation Administration. Any juvenile that would now be paying the cost would reduce Probation's expenditures. Any decrease is not estimated to be significant.

The Department of Health and Human Services (HHS) states that there may have a fiscal impact from this bill for youth in HHS custody. The response of HHS follows:

If the juveniles are under the supervision of Probation only, then the Department of Health and Human Services should not see any increase in DHHS costs so this act would not have a fiscal impact to the department.

However, with regard to dual-adjudicated/dual-supervised youth who are in the custody of the Department and are ordered to serve detention time as a condition of probation, it is believed that the court may order DHHS to pay for those detention costs - particularly in the Eastern Service Area. Estimating the costs for dual supervision scenarios is difficult; however the following analysis presents a range of estimates based on the following:

- A. In 2009 Probation Administration and DHHS were performing dual supervision responsibilities on 240 youth.
- B. In January of 2010 the number had dropped to approximately 96 youth.
- C. It is estimated that in July of 2010 that number will drop to approximately 50 youth.
- D. Of the 50 dual supervised youth it is projected that there will be a percentage that will be detained as part of their conditions of probation (some will receive mandatory detention on the front end of the probation, some youth will receive mandatory detention as the result of a probation violation).
- E. Neither current statute nor this bill set specific amounts of time that a youth can be held in detention as a condition of probation so this will be at the discretion of the court.

The following are a number of scenarios for estimated costs:

- 1. If 25% of 50 youth receive 2 days in detention @ \$170.00 a day = \$4,080;
 If 25% of 50 youth receive 5 days in detention @ \$170.00 a day = \$10,260;
 If 25% of 50 youth receive 10 days in detention @ \$170.00 a day = \$20,520.

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- 2. If 50% of 50 youth receive 2 days in detention @ \$170.00 a day = \$8,500;
If 50% of 50 youth receive 5 days in detention @ \$170.00 day = \$21,250;
If 50% of 50 youth receive 10 days in detention @ \$170.00 a day = \$42,500.
- 3. If 75% of 50 youth receive 2 days in detention @ \$170.00 a day = \$12,240;
If 75% of 50 youth receive 5 days in detention @ \$170.00 a day = \$30,600;
If 75% of 50 youth receive 10 days in detention @ \$170.00 a day = \$61,200.

DEPARTMENT OF ADMINISTRATIVE SERVICES

REVIEWED BY	Joe Wilcox	DATE	2/10/10	PHONE	471-2526
COMMENTS					
CRIME COMMISSION – Concur with agency analysis.					