

Fiscal Estimate Narratives

DHFS 2/16/2006

LRB Number 05-3330/1	Introduction Number AB-1027	Estimate Type Original
Description Mistreatment of a child with a mental illness or a developmental disability and providing a penalty		

Assumptions Used in Arriving at Fiscal Estimate

Under current law, the maltreatment of a vulnerable adult is prohibited. A vulnerable adult is defined as a person who is 18 years of age or older and has a developmental disability, infirmity of aging, mental illness, or a similar incapacity. Additionally, this person must be either substantially mentally incapable of providing for his or her needs or unable to report cruel maltreatment without assistance. Any person who intentionally, recklessly, or negligently subjects a vulnerable adult to maltreatment may be penalized under the criminal code.

This bill additionally prohibits the maltreatment of a vulnerable child. A vulnerable child is defined as a person who is under the age of 18 years, has a developmental disability, mental illness, or a similar incapacity and who is either substantially mentally incapable of providing for his or her needs or unable to report cruel maltreatment without assistance.

Current law also prohibits the Department of Transportation from issuing special authorization to school bus operator applicants who have been convicted of abuse of a vulnerable adult under circumstances constituting a felony. This bill extends this prohibition to school bus operator applicants who have been convicted of abuse of a vulnerable child under circumstances constituting a felony.

This bill would not have a fiscal effect on the Department of Health and Family Services or county departments of human or social services.

Long-Range Fiscal Implications