

Fiscal Estimate - 2019 Session

Original Updated Corrected Supplemental

LRB Number 19-5802/1		Introduction Number AB-1036	
Description juvenile court jurisdiction; the serious juvenile offender program; extending out-of-home care to 21 years of age for certain persons; juvenile interrogations; deferred prosecution agreements and diversion services for juveniles; the authority of school districts and school resource officers to respond to school-based behavior; providing an exemption from emergency rule procedures; providing an exemption from rule-making procedures; granting rule-making authority; and making an appropriation			
Fiscal Effect			
State:			
<input checked="" type="checkbox"/> No State Fiscal Effect			
<input type="checkbox"/> Indeterminate			
<input type="checkbox"/> Increase Existing Appropriations	<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget	
<input type="checkbox"/> Decrease Existing Appropriations	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Create New Appropriations		<input type="checkbox"/> Decrease Costs	
Local:			
<input type="checkbox"/> No Local Government Costs			
<input checked="" type="checkbox"/> Indeterminate			
5. Types of Local Government Units Affected			
1. <input type="checkbox"/> Increase Costs	3. <input type="checkbox"/> Increase Revenue	<input type="checkbox"/> Towns	<input type="checkbox"/> Village <input type="checkbox"/> Cities
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Counties	<input type="checkbox"/> Others
2. <input type="checkbox"/> Decrease Costs	4. <input type="checkbox"/> Decrease Revenue	<input type="checkbox"/> School Districts	<input type="checkbox"/> WTCS Districts
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		
Fund Sources Affected		Affected Ch. 20 Appropriations	
<input type="checkbox"/> GPR	<input type="checkbox"/> FED	<input type="checkbox"/> PRO	<input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS
Agency/Prepared By	Authorized Signature	Date	
DPI/ Benjamin Kopitzke (608) 266-1344	Erin Fath (608) 266-2804	4/1/2020	

Fiscal Estimate Narratives

DPI 4/1/2020

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Description juvenile court jurisdiction; the serious juvenile offender program; extending out-of-home care to 21 years of age for certain persons; juvenile interrogations; deferred prosecution agreements and diversion services for juveniles; the authority of school districts and school resource officers to respond to school-based behavior; providing an exemption from emergency rule procedures; providing an exemption from rule-making procedures; granting rule-making authority; and making an appropriation					

Assumptions Used in Arriving at Fiscal Estimate

This bill makes changes to the jurisdiction of the court assigned to exercise jurisdiction under the Juvenile Justice Code (juvenile court), the jurisdiction of the criminal court, procedures under the Juvenile Justice Code, dispositions available in juvenile delinquency proceedings, and out-of-home care placements (LRB).

The two most likely ways this bill could affect schools pertain to multisystemic therapy (MST) and responses to school-based behavior.

Under current law, if a juvenile is adjudicated delinquent, the juvenile court must enter an order deciding one or more of the dispositions of the case under a care and treatment plan. The bill requires DCF to contract for or provide MST for a juvenile for whom that treatment is ordered under a disposition of the case. Under the bill, MST is delivered in a juvenile's home, school, or community (LRB).

Additionally, this bill prohibits a school district employee and school resource officer from referring to a law enforcement agency a minor pupil who is alleged to have committed a school-related offense, as it is defined in the bill. Instead, under the bill, such a minor pupil may be referred to either a restorative justice program or an evidence-based intervention developed or adopted by the school district or county. If the minor pupil refuses to participate in one of those alternatives, a school district employee may refer the minor pupil to the juvenile court.

State: No fiscal effect

The provisions of this bill germane to schools impact only the local level, not the state. Thus, this bill has no fiscal impact on the Department of Public Instruction.

Local: Indeterminate

The costs, availability, and potential need of multisystemic therapy in schools are unknown. Likewise, the number of minor pupils who will be referred to an evidence-based intervention through their school district is unknown, and DPI does not collect such data. Any increased demand on staff resulting from this bill is incalculable at this time. For these reasons, the fiscal impact of this bill on school districts is indeterminate.

Long-Range Fiscal Implications