

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4284-01
Bill No.: HB 1940
Subject: Education, Elementary and Secondary
Type: Original
Date: March 21, 2002

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
General Revenue	(Unknown)	(Unknown)	(Unknown)
Total Estimated Net Effect on <u>All</u> State Funds	(Unknown)	(Unknown)	(Unknown)

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
School Districts	(Unknown)	(Unknown)	(Unknown)

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Elementary and Secondary Education** and the **Office of State Courts Administrator** stated that this proposed legislation would have no fiscal impact on their agencies.

In response to identical legislation from this session (SB 937), officials from the **Office of Prosecution Services** indicated there would be no additional costs to prosecutors as a result of this proposal.

Officials from the **Office of Attorney General**, in response to SB 937 from this session, indicated there would be no fiscal impact on their agency.

Officials from the **Department of Social Services - Division of Youth Services (DYS)** indicated that the impact of this legislation on DYS is difficult to estimate. In 1999, there were approximately 9,500 youth statewide referred to juvenile court for having committed a felony. If school districts exercise their right, under this proposal, to suspend all youth alleged, indicted, convicted, or adjudicated for having committed a felony, the risk of committing larger numbers of youth to DYS increase. Under this provision, youth who have committed, or alleged to have committed, felonies may not be permitted to return to school even after court intervention and/or a course of treatment. The expense of providing these youth with an option of alternative education programming in community care and/or aftercare would be increased.

DYS is unable to estimate the fiscal impact of this bill because of the uncertainty of how public school districts will exercise their option of suspending youth alleged or adjudicated for felony offenses. The number of youth who would be impacted cannot be estimated and DYS is unable to estimate the duration of the suspensions impacted by the school districts; therefore, the fiscal impact of this proposal is unknown.

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
GENERAL REVENUE			
<u>Cost</u> - Dept of Social Services - Division of Youth Services			
Youth program costs	(Unknown)	(Unknown)	(Unknown)
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
SCHOOL DISTRICTS	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

Current law permits a school board to suspend a pupil after notice and a hearing when the pupil has been charged with, convicted of, or pled guilty to a felony criminal violation. This proposed legislation clarifies that the pupil must have been convicted of a state or federal felony criminal violation; that an indictment has been filed alleging the pupil has committed such a violation for which there has been no final judgment; or a petition has been filed that the pupil committed an act or the pupil has been adjudicated to have committed an act which, if committed by an adult, would be a felony criminal violation.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Elementary and Secondary Education
Office of Prosecution Services
Department of Social Services
Division of Youth Services
Office of State Courts Administrator
Office of Attorney General



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Acting Director
March 21, 2002