

SB 158-FN - AS INTRODUCED

2013 SESSION

13-0936  
04/05

SENATE BILL        ***158-FN***

AN ACT            relative to habitual truancy.

SPONSORS:        Sen. Watters, Dist 4; Sen. Stiles, Dist 24; Rep. Gile, Merr 27; Rep. Verschueren,  
Straf 13; Rep. D. Hooper, Straf 16

COMMITTEE:      Finance

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ANALYSIS

This bill defines a habitually truant child as a child in need of services.

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Explanation:      Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears [~~in brackets and struck through.~~]  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Thirteen*

AN ACT                   relative to habitual truancy.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1           1 Child in Need of Services; Definitions. Amend RSA 169-D:2, II to read as follows:

2                   II. "Child in need of services" means a child under the age of 18 with a diagnosis of severe  
3 emotional, cognitive, or other mental health issues who engages in aggressive, fire setting, or  
4 sexualized behaviors that pose a danger to the child or others, ***or who is found to be habitually***  
5 ***truant pursuant to RSA 189:35-a***, and who is otherwise unable or ineligible to receive services  
6 under RSA 169-B or RSA 169-C.

7           2 Effective Date. This act shall take effect 60 days after its passage.

**SB 158 FISCAL NOTE**

AN ACT relative to habitual truancy.

**FISCAL IMPACT:**

The Department of Health and Human Services states this bill, **as introduced**, will increase state expenditures by \$5,528,949 in FY 2014 and each year thereafter. The New Hampshire Municipal Association states the bill may reduce local expenditures by an indeterminable amount in FY 2014 and each year thereafter. There will be no fiscal impact on state, county, or local revenue, or county expenditures.

**METHODOLOGY:**

The Department of Health and Human Services states this bill would restore habitual truancy to the definition of Children in Need of Services (CHINS). The Department states the CHINS law was changed in 2011 to exclude truants and others. As a result, the CHINS program only provides services to children under the age of 18 with the most severe diagnoses and who are otherwise unable or ineligible to receive services in the child protection or delinquency programs. The Department indicates that, prior to the change, the annual cost of the program was \$10,870,876. The Department estimates, after the statutory changes to the definition, the cost of the program for FY 2013 will be \$2,972,378. The Department assumes the difference in cost between the old CHINS definition and the new definition of \$7,898,498 represents the cost to serve the populations that were removed from the CHINS program. The Department estimates 70% of this difference, or \$5,528,949, relates to habitual truancy. The Department assumes the annual cost to restore services for habitually truant children will be \$5,528,949 of which \$1,879,843 would be paid with federal funds and \$3,649,106 would be paid with state general funds.

The New Hampshire Municipal Association states the expanded definition would result in the state providing services to more children which may result in a minor reduction in the need for local assistance. The Association is unable to determine the amount of any potential reduction in local expenditures.

The Department of Education states there is no fiscal impact on its revenue or expenditures.