



STAFF REPORT

Report To: Board of Supervisors **Meeting Date:** March 21, 2019

Staff Contact: Adriana Fralick, Deputy City Manager

Agenda Title: For Possible Action: Discussion and possible action on Assembly Bill (AB) 133 of the 80th (2019) Session of the Nevada Legislature, a bill relating to public welfare. (Adriana Fralick, afralick@carson.org)

Staff Summary: During this legislative session of the Nevada Legislature, City staff will bring to meetings of the Board of Supervisors legislative bills as requested by the Board for review. AB 133 relates to public welfare and creates an unfunded mandate by requiring every county to provide care, support and relief to runaway or homeless youth under the age of 24 who lack other means of support. City staff is working with stakeholders to amend the measure to create enabling statutory language to substitute the mandate to provide the described county services.

Agenda Action: Formal Action / Motion **Time Requested:** 5 minutes

Proposed Motion

I move to (support, oppose, remain neutral on) AB 133.

Board's Strategic Goal

Efficient Government

Previous Action

None

Background/Issues & Analysis

Legislative Counsel's Digest:

Existing law provides that a youth shelter and its director, employees, agents or volunteers are immune from liability based on any act or failure to act while admitting, releasing or caring for a runaway or homeless youth, not amounting to gross negligence or intentional or reckless misconduct. (NRS 244.429) Existing law defines the term "runaway or homeless youth" to mean a person who is under 18 years of age and is living in certain situations outside of a permanent home. (NRS 6244.424) Section 2 of this bill redefines the term "runaway or homeless youth" to mean a person living in such situations who is under 24 years of age. Existing law requires every county to provide care, support and relief to the poor, indigent, incompetent and those incapacitated by age, disease, accident or motor vehicle crash who lack other means of support. (NRS 428.010) Section 1 of this bill specifically requires every county to provide care, support and relief to runaway or homeless youth who lack other means of support.

Applicable Statute, Code, Policy, Rule or Regulation

NRS 244.146; Carson City Charter, Art. 2, Sec. 2.090; various provisions of NRS (see bill amendments)

Financial Information

Is there a fiscal impact? Yes

If yes, account name/number: \$500,000 per FY and \$1,000,000 for future biennia.

Is it currently budgeted? No

Explanation of Fiscal Impact: See attached fiscal impact statement submitted to legislature by CFO.

Alternatives

Take a position to support, oppose or remain neutral on this bills;

Not take a position;

Mayor remand back to staff with instructions based on discussion on the record.

Attachments:

[AB133.pdf](#)

[AB133 fiscal note.pdf](#)

Board Action Taken:

Motion: _____

1) _____

2) _____

Aye/Nay

(Vote Recorded By)

ASSEMBLY BILL NO. 133—ASSEMBLYWOMAN
BENITEZ-THOMPSON

FEBRUARY 13, 2019

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions governing runaway or homeless youth. (BDR 38-399)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 1)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to public welfare; revising the definition of the term “runaway or homeless youth” for certain purposes; requiring every county to provide care, support and relief to a runaway or homeless youth; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law provides that a youth shelter and its director, employees, agents or
- 2 volunteers are immune from liability based on any act or failure to act while
- 3 admitting, releasing or caring for a runaway or homeless youth, not amounting to
- 4 gross negligence or intentional or reckless misconduct. (NRS 244.429) Existing law
- 5 defines the term “runaway or homeless youth” to mean a person who is under 18
- 6 years of age and is living in certain situations outside of a permanent home. (NRS
- 7 244.424) **Section 2** of this bill redefines the term “runaway or homeless youth” to
- 8 mean a person living in such situations who is under 24 years of age.
- 9 Existing law requires every county to provide care, support and relief to the
- 10 poor, indigent, incompetent and those incapacitated by age, disease, accident or
- 11 motor vehicle crash who lack other means of support. (NRS 428.010) **Section 1** of
- 12 this bill specifically requires every county to provide care, support and relief to
- 13 runaway or homeless youth who lack other means of support.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 428.010 is hereby amended to read as follows:

2 428.010 1. Except as otherwise provided in NRS 422.382, to
3 the extent that money may be lawfully appropriated by the board of
4 county commissioners for this purpose pursuant to NRS 428.050,
5 428.285 and 450.425, every county shall provide care, support and
6 relief to *runaway or homeless youth*, the poor, indigent ~~and~~ *and*
7 incompetent and those incapacitated by age, disease, accident or
8 motor vehicle crash, lawfully resident therein, when those persons
9 are not supported or relieved by their relatives or guardians, by their
10 own means, or by state hospitals, or other state, federal or private
11 institutions or agencies.

12 2. Except as otherwise provided in NRS 439B.330, the boards
13 of county commissioners of the several counties shall establish and
14 approve policies and standards, prescribe a uniform standard of
15 eligibility, appropriate money for this purpose and appoint agents
16 who will develop regulations and administer these programs to
17 provide care, support and relief to *runaway or homeless youth*, the
18 poor, indigent ~~and~~ *and* incompetent and those incapacitated by age,
19 disease, accident or motor vehicle crash.

20 **3.** *As used in this section, “runaway or homeless youth” has*
21 *the meaning ascribed to it in NRS 244.424.*

22 **Sec. 2.** NRS 244.424 is hereby amended to read as follows:

23 244.424 “Runaway or homeless youth” means a youth who:

- 24 1. Is under ~~18~~ *24* years of age; and
25 2. Lives in a situation described in 42 U.S.C. §
26 11434a(2)(B)(ii)-(iii) with or without the consent or knowledge of
27 his or her parent, guardian or custodian.

28 **Sec. 3.** The provisions of NRS 354.599 do not apply to any
29 additional expenses of a local government that are related to the
30 provisions of this act.

31 **Sec. 4.** This act becomes effective on July 1, 2019.



Local Government Responses
A.B. 133 / BDR 38 - 399

City/County: Carson City

Approved by: Sheri Russell, CFO

Comment: Need Case Manager if additional responsibilities are added within this bill "HS needs to house these individuals" - wages and benefits - \$72,500 (median wage plus 50% benefits).

This bill could secure funding for youth and runaway shelters and that funding would come from the county – estimate is \$420,000 based on the amount Life Recovery charges for one room/month (\$700) x 12 months x 50 individuals (based on the number of applicants we saw between July 1 and June 30, 2018, there were 50 individuals were seeking services at our office. I would estimate that an additional \$420,000 fiscal impact for the those office runaways under 18 that we don't currently see in our office for housing.

Impact	FY 2018-19	FY 2019-20	FY 2020-21	Future Biennia
Has Impact	\$500,000	\$500,000	\$500,000	\$1,000,000

City/County: Churchill County

Approved by: Jim R. Barbee, County Manager

Comment: BDR 38-399 seeks to redefine the term "runaway or homeless youth" to mean a person living in such situations who is under the age of 24, instead of 18 years of age. At this point it is unclear if there may be an increase to our appropriation to CPS and a requirement for direct services for those ages 18-24, therefore the impact cannot be determined at this time.

Impact	FY 2018-19	FY 2019-20	FY 2020-21	Future Biennia
Cannot Be Determined	\$0	\$0	\$0	\$0