

Department of Planning and Budget 2016 Fiscal Impact Statement

1. Bill Number: HB 1013

House of Origin	<input type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input checked="" type="checkbox"/>	Engrossed
Second House	<input type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input checked="" type="checkbox"/>	Enrolled

2. Patron: Massie

3. Committee: Passed both houses

4. Title: School threat assessment teams

5. Summary:

Currently, state law requires that school divisions establish a threat assessment team for each school. The proposed legislation would make several changes in the laws related to threat assessment teams, as follows:

- Freedom of information—Current law exempts certain records from the Freedom of Information Act, but makes their release discretionary with their custodian. The proposed legislation would include in that list of discretionary exemptions any records submitted to the Department of Criminal Justice Services relative to threat assessment teams for public and higher education to the extent such records reveal security plans, walk-through checklists, or vulnerability or threat assessment components. Institutions of higher education currently have limited discretion to release the records of threat assessment teams; the proposed legislation would extend that authority to local school boards for local threat assessment teams.
- Adult and juvenile criminal history records—Current law authorizes the disclosure of adult and juvenile criminal history records to threat assessment teams established by institutions of higher education. The proposed legislation would allow their distribution to local school threat assessment teams, as well.
- Health records—Current law authorizes the distribution of an individual's health records to a threat assessment team established by an institution of higher education. The proposed legislation would allow their distribution to local school threat assessment teams, as well.
- Scope—The function of threat assessment teams established by local school boards is to assess and intervene with students whose behavior “may pose a threat to the safety of school staff or students.” The proposal would broaden the scope of threat assessment teams’ functions by replacing “students” with “individuals” in the statutory language. It would also authorize K-12 threat assessment teams to obtain criminal history records, including juvenile criminal history records, and health records of any individual it

preliminarily determines “poses a threat to self or others, or exhibits significantly disruptive behavior or need for assistance.”

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Final. See Item 8 below.

8. Fiscal Implications: It is not expected that the proposed legislation will have any fiscal impact.

9. Specific Agency or Political Subdivisions Affected:

Department of Criminal Justice Services
Local school boards

10. Technical Amendment Necessary: None.

11. Other Comments: None.

Date: 3/7/2016

Document: G:\LEGIS\fis-16\hb1013er.docx Dick Hall-Sizemore