



STATE YOUTH LEGISLATION 2006

NATIONAL
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LEGISLATURES

By Kelli Kelty

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In 2006, at least 27 states enacted more than 58 pieces of substantive legislation on key youth issues. Fourteen states enacted legislation to address substance abuse and drug use, while six enacted legislation to prohibit bullying. Arizona and Tennessee passed measures to create commissions on civic education and engagement, and one New Hampshire established a legislative youth advisory council. Areas of enacted bills included:

- **Youth at Risk:** Gangs, substance abuse/drug use and truancy
- **Youth in Transition:** Accountability, foster care, financial literacy, health, homeless youth, increasing services to former foster care, and runaways
- **Out of School Time:** After school, juvenile justice, and Native American education
- **Youth Violence:** Bullying, mental health/suicide, and school safety
- **Positive Youth Development:** Civic education and engagement; legislative youth councils; mentoring; and children and youth commissions, cabinets or councils

YOUTH AT RISK

Gangs

Virginia HB 692, Chap. 259

Allows the Department of Justice or locally operated court service unit to release information obtained from a juvenile on gang-related activities to state and other local law enforcement officials for criminal street gang activity investigations.

Virginia HB 901, Chap. 436

Allows a court to restrict people with whom convicted street gang members may have contact as part of their sentence.

Substance Abuse/Drug Use/Alcohol

Colorado SB 122, Chap 309

Sec. 1 Creates an adolescent substance abuse prevention and treatment fund.

Sec. 2 Imposes a \$25 surcharge on an underage person found guilty of illegal possession or consumption of alcohol. Specifies that the surcharge will be administered to the treatment fund.

Florida HB 7105, Chap. 152

Sec. 1 Eliminates the surcharge on liquor sales that was being transferred to the Children and Adolescents Substance Abuse Trust Fund.

Sec. 3 Terminates the Children and Adolescents Substance Abuse Trust Fund.

Sec. 8 Appropriates more than \$11 million to the Department of Children and Family Services to reduce or eliminate substance abuse in children and adolescents.

Kentucky HB 92, Chap. 17

Sec. 1 Prohibits a minor in custody of the state from receiving tobacco products from a family member. Provides smoking cessation services for minors in state custody at no charge to the minor.

Maryland HB 1432, Chap. 397

Sec. 701 Establishes a residential boarding education program for at-risk youth. Specifies that residential boarding education programs will provide remedial curriculum for middle school grades, college preparatory curriculum for high school grades, extracurricular activities such as athletics and cultural events, college admissions counseling, health and mental health services, tutoring, community service opportunities, and a residential student life program.

Sec. 703 Clarifies students must be enrolled in fifth or sixth grade to apply for the program. Allows students to remain in the program until graduation.

Sec. 704 Requires the program operator to develop student admission and dismissal standards. Specifies students should be recruited from each county.

Sec. 709 Clarifies a county board shall pay 85 percent of the cost for each student in the program.

Maine SB 749, Chap. 674

Requires the director of the Office of Substance Abuse to develop a list of banned performance-enhancing substances. Specifies that the list shall include substances on the National Collegiate Athletic Association or the World Anti-Doping Agency list and shall be updated as necessary. Requests statewide organizations to help disseminate information regarding the dangers of performance-enhancing substances. Requires school administrations to update their drug policies. Prohibits student athletes from using performance-enhancing substances.

Michigan HB 4118, Act 215

Clarifies that school districts must prohibit the use of performance-enhancing substances in their student athlete policies. Specifies that the list of banned substances shall be based upon the National Collegiate Athletic Association list.

New York AB 1473

Creates an advisory council on underage alcohol consumption. Outlines membership of the council. Requires the council to study the occurrence and response to underage drinking. Requests that the council make recommendations on prevention programs, the effectiveness of current laws addressing underage

drinking, and training programs for law enforcement officials that respond to underage drinking incidents.

Oklahoma HB 2485

Sec. 2 Creates the Task Force on Adolescent Substance Abuse and Misuse of Household Items. Outlines the 12 members of the task force, including legislators, executive branch members and community stakeholders. Requires the task force to study the misuse and abuse of drugs and household items by adolescents and possible prevention mechanisms and publish a report with findings and recommendations.

Pennsylvania HB 2383

Sec. 2 Requires the Bureau of Alcohol Education to report biennially to the General Assembly about underage drinking and high-risk college drinking. Specifies that the report is to include current levels and trends of underage and high-risk college drinking, current prevention programs, and research on innovative or new prevention strategies.

Rhode Island SB 2189, Chap. 272

Reduces from a felony to a misdemeanor the penalty for an adult convicted for a first offense of supplying alcohol to an individual under the age of 21. Establishes an adult convicted of a third or subsequent offense is guilty of a felony. Increases fines from \$1,000 to \$2,500 and/or imprisonment up to one year.

South Carolina SB 384, Act 231

Allows the use of tobacco vending machines in establishments open only to those age 18 or older or where the vending machine can be activated only by the owner, licensee or employee for each sale. Increases fines for selling tobacco products to a minor: first offense, increased from \$25 to \$100–\$200; second offense, increased from \$50 to \$200–\$300; third offense, increased from no less than \$100 or 60 days in jail to \$300–\$400 or 100 days in jail. Prohibits a minor from purchasing or possessing or using false identification to purchase tobacco products. Imposes a \$25 civil fine or allows the court to order the minor to complete a smoking cessation or tobacco prevention program or perform no more than five hours of community service. Permits the court to restrict or delay issuing the minor's driver's license if the individual fails to comply with sentencing guidelines. Clarifies that a criminal or delinquent record for this violation will not be maintained. Prohibits an individual from being detained, taken into custody, arrested or placed in jail for purchasing, attempting to purchase or possessing tobacco products. Clarifies an

individual will not be found in contempt of court for failing to comply with sentencing guidelines. Clarifies the violation will not affect the individual's participation in a university financial assistance program. Requires law enforcement officers to notify a minor's parent, guardian or custodian within 10 days of issuing a ticket for this violation. Specifies a minor will not be in violation if the individual is required to work with tobacco as part of employment.

South Dakota HB 1147, Chap. 82

Clarifies that students suspended from an extracurricular activity due to distributing or ingesting controlled substances or marijuana may reduce their suspension from one year to 60 days if they are assessed by a certified chemical dependency counselor or complete an intensive prevention or treatment program.

Utah HCR 3

Requests the public school system to incorporate alcohol, tobacco and drug use prevention education in its curriculum. Recognizes the value of youth councils and youth groups efforts to help prevent alcohol, tobacco and drug use among their peers.

Virginia HB 1210, Chap. 207

Clarifies that an individual at least age 18 or older who is convicted of using false identification to purchase or consume alcohol shall have his or her driver's license suspended for no less than six months.

Truancy

Illinois HB 1463, Act 94-0916

Clarifies that a truant minor shall not be eligible for a driver's permit or license. Allows the secretary of state to revoke a truant minor's driver's license.

Oklahoma HB 2366

Sec. 7 Clarifies that a minor taken into custody for alleged truancy or curfew violation may not be placed in an adult detention facility. Restricts to 24 hours the amount of time a minor can be detained before or after the initial court appearance.

Secs. 8 and 9 Eliminate state-funded "boot-camp" programs.

YOUTH IN TRANSITION

Accountability

Maryland SD 294, Chap. 243

Tit. 2 Requires counties to establish local management boards to develop and implement a local interagency service delivery system for children, youth and families. Allows the local management board to be a quasi-public nonprofit corporation that is not part of county government or a public agency that is part of county government. Outlines possible members of the management board; public and private community representatives that are responsible for delivering comprehensive services for children, youth and families; and senior representatives or department heads of the local health department, local department of juvenile services, core service agency, local school system and the local department of social services. Requires the local management board to develop a strategic plan for coordinating and collaborating services for children, youth and families. Requires the board to maintain standards and accountability for services provided. Clarifies that the Children's Cabinet shall establish the local management boards' roles and responsibilities. Requires the local management boards' directors to submit an annual report to the legislature.

Tit. 3 Allows information sharing between agencies, with written consent from the individual or his or her guardian, in order to provide a continuum of care. Outlines the parameters for information sharing.

Tit. 4 Authorizes the State Coordinating Council for Children to oversee the local coordinating councils. Clarifies that the local coordinating councils shall review in-state and out-of-state residential placement referrals.

Tit. 5 Allows the local management board to apply for funding from the Children's Cabinet fund.

Foster Care

Arizona SB 1164

Creates the Displaced Pupils Choice Grant Program for students that have been placed in foster care before they graduated from high school or obtained a general equivalency diploma. Appropriates \$5,000 or the total amount of tuition, whichever is less, to a qualifying student to apply to a private prekindergarten-12 school of their choice.

Financial Literacy

Florida HB 825, Chap. 140

Creates a financial literacy council to study financial problems that affect youth, senior citizens, working adults and small businesses due to the lack of basic

knowledge of financial issues. Requires the council to make recommendations on developing financial literacy programs and resources to help individuals and small business make informed financial decisions about personal savings, applying for loans, managing debt, making sound investment choices and saving for retirement. Outlines the council membership which must include representation from the rural and urban interests and the ethnic and cultural diversity of the state's population. Clarifies the council's duties, which include an annual report to the Legislature. The council sunsets in 2011.

Illinois SB 2191, PA 94-0929

Expands consumer education curriculum to include basic concepts of financial literacy, including credit scoring, managing credit debt, completing a loan application, saving and investing, banking, simple contracts, taxes and personal insurance policies. Creates a financial literacy fund to defray costs for training teachers and awards for students and teachers for success in a financial literacy competition. Allows school boards to create their own fund for the same purposes. Urges the board of education to include in its learning standards basic principles of personal insurance policies and understanding simple contracts.

South Carolina HB 4707, Act 382

Establishes a financial literacy initiative to develop and promote financial literacy education for students in kindergarten through grade 12. Creates a financial literacy board within the Department of Education to oversee the initiative and outlines the board's membership and duties. Creates an Office of Financial Literacy to assist the board with its objective. Requires the board to evaluate the progress of the grantees. Allows a grant to be terminated if no progress has been made. Adds a financial literacy trust fund to the voluntary contribution list on personal income tax returns.

Tennessee SB 3741, Chap. 854

Requires that a course on personal finance be included in high school curricula.

Health

New Jersey AB 2936, Chap. 48

Prohibits a minor under age 14 from using a tanning facility. Allows a minor who is at least age 14 but younger than age 18 to use a tanning facility with written authorization from his or her parent or guardian. Requires a tanning facility to post a sign stating age restrictions.

Homeless Youth

Minnesota SB 2833, Chap. 264

Sec. 13, Subd. 1 Creates the Runaway and Homeless Youth Act. Defines homeless youth as a person age 21 or younger who lacks a fixed, regular or adequate nighttime residence. Identifies accommodations that are not considered adequate residences. Defines youth who are at risk of being homeless. Defines a runaway as an unmarried child under age 18.

Subd. 2-5 Requires the commissioner of human services to create a report about homeless youth, youth at risk of homelessness and runaways. Requires the report to include information about street and community outreach and drop-in programs, emergency shelter programs and support housing, and transitional living programs. Outlines services and duties of street and community outreach and drop-in programs, emergency shelter programs, and supportive and transitional living programs.

Tennessee SB 3918, Chap. 756

Sec. 2 Prohibits a school from denying a child admission because he or she has not been immunized or is unable to produce immunization records due to being homeless. Requires school to comply with all federal laws and the McKinney-Vento Homeless Assistance Act pertaining to the educational rights of homeless children.

Increasing Services to Former Foster Care Children

Arizona HB 2613, Chap. 338

Creates an educational case management unit in the Department of Economic Security to help former foster care youth in the independent living program with plans to graduate from high school and pursue a post-secondary education.

Tennessee HB 2809, Chap. 869

Sec. 1 Extends eligibility for the Tennessee HOPE foster child tuition grant to youth admitted to an independent postsecondary institution.

Sec. 2 Allows the Tennessee HOPE foster child tuition grant to be applied at public postsecondary institutions, four-year independent postsecondary institutions or two-year independent postsecondary institutions.

Utah HB 288, Chap. 110

Clarifies that former foster care youth are eligible for Medicaid coverage until age 21, provided that funds are available.

Vermont HB 618, Chap. 159

Sec. 2 Requires the Agency of Human Services to determine if youth ages 18 to 21 who are making the transition from state custody are eligible for Medicaid or other public health care programs. Clarifies that the assessment should be completed in time to avoid interruption in care. Specifies that, if the youth is a college student, eligibility shall be determined by the student's income only, whether or not a parent is providing room and board.

Sec. 3 Requires the Department for Children and Families to assess and coordinate services and programs that help youth who are moving out of state custody.

Sec. 4 Requires the Agency of Human Services to analyze current law and regulations regarding Medicaid eligibility for young adults ages 18 to 22. Clarifies that the agency must review current eligibility requirements, review how the state administers Medicaid for youth, estimate the percentage of eligible youth who are enrolled, develop potential ways to increase access to Medicaid coverage for all youth over age 18, and report on the cost of extending health care coverage to youth in state custody past age 18 while they attend college or postsecondary training. Requires the agency to conduct a cost-benefit analysis of providing necessary transitional services for youth who are receiving state-funded services for a developmental disability or an emotional disturbance on their 18th birthday. Requires the agency to conduct a cost-benefit analysis of a work assistance program and how TANF funds could possibly be used to fund the program.

Washington HB 2002, Chap. 266

Sec. 1.10 Authorizes child welfare services to extend care to 50 foster care youth who are between the ages of 18 and 21 in 2006 so they can participate in or complete a high school or vocational program. Allows an additional 50 youth between the ages of 18 and 21 to stay in foster care in 2007 and another 50 in 2008. Requires the youth to be enrolled in a post-high school academic or vocational program.

Sec. 1.14 Extends independent living services for foster care youth to age 21.

Sec. 3 Requires the Department of Social and Health to promulgate rules on eligibility for independent living services.

Sec. 4 Requests the Washington State Institute for Public Policy to study results and cost savings for continuing services to youth who are making the transition out of foster care.

Runaways**Rhode Island SB 2773, Chap. 178**

Enacts the Interstate Compact for Juveniles, which requires states to cooperate with one another to return a juvenile who has escaped from one state to another, absconded or run away.

South Carolina SB 1154, Act 305

Enacts the Interstate Compact for Juveniles.

OUT OF SCHOOL TIME***After School*****Tennessee SB 3113, Chap. 685**

Establishes a competitive grant program for pilot after-school programs that help at-risk students increase their performance on the ACT or SAT.

Juvenile Justice**Hawaii SB 467, Act 258**

Requires the Office of Youth Services to develop gender-responsive community-based programs for female adjudicated youth. Outlines services that can be provided including, but not limited to, education and employment training and family programming related to pregnancy and single parenthood.

Louisiana HB 187, Act 152

Clarifies that the Office of Youth Development is responsible for education and work opportunities for juvenile offenders. Allows juveniles to be monetarily compensated for their work participation.

Native American Education**California SB 1710, Chap. 880**

Expands American Indian education centers summer programming to include a focus on culture, recreation and academic experiences. Extends program operation to Jan. 1, 2012.

YOUTH VIOLENCE***Bullying*****Alaska HB 482, Chap. 109**

Requires school districts to adopt a policy against harassment, intimidation and bullying. Requires school districts to provide an opportunity for stakeholders, parents or guardians, school employees, volunteers, students, administrators and community representatives to participate in developing and adopting the policy. Clarifies that the policy must emphasize positive

character traits and values, including the importance of civil and respectful speech and conduct. Requires each school district to submit a report to the Legislature on all the incidents of harassment or bullying that result in suspension or expulsion. Specifies that school employees, students or volunteers are required to report any incident of harassment, intimidation or bullying that they witness.

Idaho HB 750, Chap. 313

Sec. 1 Allows a student to be suspended for harassment, intimidation or bullying.

Sec. 3 Defines student harassment, intimidation and bullying.

Illinois SB 2630, PA 94-0937

Requests school districts to incorporate bullying prevention education in schools' curriculum.

South Carolina HB 3573, Act 353

Sec. 120 Defines harassment, intimidation and bullying.

Sec. 130 Requires witnesses to report incidents of harassment, intimidation and bullying.

Sec. 140 Requires local school districts to adopt policies against bullying. Outlines policy requirements. Requires the state Department of Education to develop model polices. Encourages development of bullying prevention programs. Requires schools to provide employee training regarding bullying policies and programs.

Utah SCR 1

Encourages parents, school districts and organizations to collaboratively develop methods for identifying and reporting incidents of bullying. Promotes formation of a statewide coalition that addresses bullying, harassment and intimidation prevention education.

Vermont HB 867, Act 182

Sec. 27 Requires schools to inform the commissioner of education about organizations and individuals that provide effective hazing, harassment, bullying suicide or substance abuse prevention training for staff and students. Clarifies that the commissioner will disseminate this information for other schools' use.

Sec. 29 Requires the commissioner of education or designee to convene a Council on Civic Education and outlines council membership. Outlines the council's duties to evaluate and make recommendations on Vermont's civic education. Requires the council to promote coordination to improve civic education.

Mental Health/Suicide

Colorado HB 1098

Expands teacher continuing education options to include mental health issues and suicide prevention and awareness.

Colorado SB 67

Creates a two-year suicide prevention pilot program at participating state higher education institutions. Directs institutions to distribute consent forms that allow students to authorize the university to notify their contact person if there is belief that the student is considering suicide or is a danger to himself or herself.

School Safety

Maryland SB 146, Chap. 426

Creates the Task Force on School Safety. Outlines membership, including two legislators. Specifies that the state Department of Education shall provide staff. Requires the task force to evaluate and make recommendations on the increase of student violence in schools and how to provide a safe learning environment. Requires the task force to evaluate and make recommendations on ensuring school officials and public safety personnel receive training and technical assistance to effectively respond to a crisis. Requires the task force to submit its findings and recommendations to the governor and the legislature by Dec. 1, 2007.

POSITIVE YOUTH DEVELOPMENT

Children and Youth Commissions, Cabinets, or Councils

Connecticut HB 5532 PA 06-182

Creates a Youth Futures Committee to promote positive results for youth by developing guidelines for the delivery of services, improving communication among agencies, assessing funding resources, and collaborating with public and private partnerships. Outlines the legislative and executive membership of the committee. Requires the committee to report its progress to the General Assembly.

Georgia HB 1615, Act 898

Establishes a County Commission on Children and Youth and outlines commission membership. Requires the commission to coordinate and collaborate with agencies and departments to develop an integrated county plan and improve services delivered to children and youth. Authorizes the commission to develop legislative and executive proposals to improve services. Requires the

commission to review existing policies, statutes, rules and regulations and make recommendations that encourage greater interagency coordination. Allows the commission to facilitate elimination of unnecessary duplicative programs and services. Permits the commission to solicit and accept public funding from federal, state and county governments.

Kentucky SJR 184

Encourages development of a youth development coordinating council to create a common vision and establish goals for youth programs and services. Outlines the council's legislative, executive and community membership, including youth. Requires the council to develop a statewide strategic plan to promote positive youth development for youth between the ages of eight and 21. Requires the council to assess existing services and programs, funding sources and capacities. Clarifies that the council must identify barriers for collaboration at the state and local levels and any gaps in services provided to youth. Requires the council to submit an annual report to the legislature.

Maryland SB 882, Chap. 445

Creates an advisory council to the Children's Cabinet that will make recommendations for coordinating state programs, serving youth within their communities, promoting positive results for youth, funding delinquency prevention programs, and reducing disproportionate minority confinement. Requires that at-risk youth prevention and diversion programs help youth prepare for adulthood by age 21. Allows prevention and diversion programs to be community-based, school-based, neighborhood-based, faith-based or nonresidential. Clarifies that the programs will be monitored and supported by local management boards. Requires the local management boards to assess their community-based services before applying for funds.

Pennsylvania SB 595

Clarifies youth age 16 or 17 may not sit on a nonprofit agency's board but may be part of an advisory committee. Specifies that the number of advisory committee members may not exceed the number of directors required to make a quorum to business.

Civic Education and Engagement

Arizona HB 2788, Chap. 385

Creates the State Commission on Civic Education and Civic Engagement to promote participation in political and civic activities by people of all ages and outlines commission membership.

Tennessee SB 2586, Chap. 889

Creates the Commission on Civic Education in Tennessee to research current policies and practices in civic education at the state and local levels. Requires the commission to make recommendations to improve civic education within schools. Outlines the membership of the committee.

Utah HCR 2

Urges legislators to participate in Legislator's Back to School Program to promote civic education.

Vermont HB 867, Act 182

Sec. 27 Requires schools to inform the commissioner of education about organizations and individuals that provide effective hazing, harassment, bullying suicide or substance abuse prevention training for staff and students. Clarifies that the commissioner will disseminate this information for other schools' use.

Sec. 29 Requires the commissioner of education or designee to convene a council on civic education and outlines council membership. Outlines the council's duties to evaluate and make recommendations on Vermont's civic education. Requires the council to promote coordination to improve civic education.

Legislative Youth Council

Maine SB 856, Chap. 616

Part A Prohibits the Legislative Youth Advisory Council from receiving funding without prior approval from the Legislative Council or the executive director. Specifies that all funding received must be transferred to the legislature and reserved for the youth council. Requires the council to convene two of its six public forums in Augusta between July 1, 2006, and Nov. 30, 2006. Clarifies that the purpose of these two forums is to solicit input, suggestions and ideas for improving civic education in secondary schools. Specifies that the commissioner and Legislative Council each will provide at least one staff person.

Part B Outlines membership of the Legislative Youth Advisory Council. Clarifies that 16 youth members and two senators are to be appointed by the president of the Senate and another 16 youth and two state representatives are to be appointed by the speaker of the House. Requires that the appointments be made within 60 days after each new Legislature convenes. Clarifies that the appointments expire when the next Legislature convenes.

New Hampshire 323, Chap. 270

Establishes a Legislative Youth Advisory Council to examine and make recommendations on issues important to youth, including education, strategies to increase youth participation in local and state government, safe environments for youth, substance abuse, emotional and physical health, foster care, poverty, homelessness, and youth access to state and local services. Outlines the membership and duties of the council.

Mentoring**California A1979, Chap. 382**

Requires foster care volunteer mentors to submit to a criminal background check before they have unsupervised contact with a child.

Maine HB 689, Chap. 639

Requires the Department of Education to create a grant program for mentoring programs that provide guidance, support and encouragement to youth.

This document was prepared by Kelli Kelty, policy associate at the National Conference of State Legislatures. StateNet, a legislative tracking database, was used to perform the bill searches.

If you wish to contribute information about your state or have questions about the content, contact Kelli Kelty at (303) 364-7700, ext. 1380, or kelli.kelty@ncsl.org.



National Conference of State Legislatures
William T. Pound, Executive Director

7700 East First Place
Denver, Colorado 80230
(303) 364-7700

444 North Capitol Street, N.W., #515
Washington, D.C. 20001
(202) 624-5400

www.ncsl.org

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