

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 74** SLS 25RS 210
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: April 28, 2025	8:02 PM	Author: SEABAUGH
Dept./Agy.: OJJ/State Public Defender/District Attorneys/Corrections		Analyst: Daniel Druilhet
Subject: Criminal Court Jurisdiction Over Juveniles		

CRIME/PUNISHMENT OR INCREASE GF EX See Note Page 1 of 2
 Provides relative to criminal court jurisdiction over juveniles. (8/1/25)

Current law provides for jurisdiction applicable to special juvenile courts, parish and city courts, and separate juvenile courts established in specific parishes for criminal matters involving juveniles; provides that a juvenile is subject to the exclusive jurisdiction of the juvenile court if he is 15 years of age or older prior to allegedly committing certain felonies until either an indictment is returned or the juvenile court holds continued custody hearing on a probable cause determination; provides for the district attorney's (DA) discretion to proceed under either the Children's Code or the Code of Criminal Procedure. Proposed law provides that district courts have jurisdiction over felony cases involving juveniles for delinquent acts committed when the juvenile was 15 or older and that special juvenile courts have juvenile jurisdiction for all misdemeanor and felony cases involving juveniles under 15 or older when the alleged delinquent act was committed; provides that juvenile courts shall immediately transfer all pending felony cases involving a juvenile under 15 when an alleged delinquent act was committed to the appropriate district court; removes the DA's discretion and provides that a juvenile 15 or older at the time of committing an enumerated felony is subject to the Code of Criminal Procedure if either an indictment charging one of the offenses is returned or the district courts hold a continued custody hearing and find probable cause one of those offenses has been committed.

EXPENDITURES	2025-26	2026-27	2027-28	2028-29	2029-30	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Annual Total						
REVENUES	2025-26	2026-27	2027-28	2028-29	2029-30	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

Proposed law will likely result in an indeterminable, but significant, increase in SGF expenditures in the Office of the State Public Defender and an increase in Local Funds expenditures to district courts and district attorneys. This increase will likely be partially offset by a decrease in SGF expenditures in the Office of Juvenile Justice and a decrease in Local Funds expenditures in specialty juvenile courts.

Office of the State Public Defender

Proposed law will likely result in a minimal increase in \$2.3 M expenditures (\$1.2 M SGF and \$1.1 M Local Funds expenditures) in the Office of the State Public Defender for some district defenders (within districts where juveniles are represented in specialty juvenile courts) to increase staff to comply with time requirements within the juvenile court system, while simultaneously managing juvenile matters within the exclusive jurisdiction of specialty juvenile courts. Within 17 districts that represent juveniles outside of district courts, the projected expenditures are as follows:

Item	Quantity	Cost
New Line Defenders Required	36	\$2,013,000
Supplemental Compensation for Existing Attorney Contracts	3	\$90,000
Support Staff	6	<u>\$193,000</u>
Total		\$2,296,000

Note: The above projections represent estimates provided by 17 of 32 district defender offices that have reported needing additional personnel with the implementation of the proposed law. There are a total of 42 districts. This information will be updated if more district defender offices report the potential fiscal impact of the proposed law to their respective offices.

District Attorneys

Proposed law may result in an indeterminable increase in workload and associated Local Funds expenditures for district attorneys' offices, to the extent that caseloads substantially increase for juveniles currently being processed in specialized juvenile courts who will now be processed in adult criminal court. Considering the restrictions on transportation and housing of juveniles, it is unlikely that the existing

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REVENUE EXPLANATION

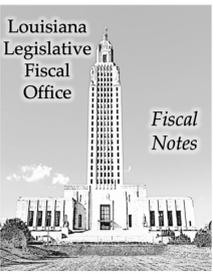
There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Patrice Thomas
 Deputy Fiscal Officer

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CONTINUED EXPLANATION from page one:

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docket schedules in these jurisdictions would be feasible, considering that juveniles would need additional court settings, separate from the adult court docket. The exact fiscal impact of the proposed law to district attorneys is indeterminable, because it is unknown the impact that the proposed law will have on each district attorney's office. To the extent that the workload in district attorneys' offices substantially increases, district attorneys may seek to secure additional personnel.

Office of Juvenile Justice

Proposed law may result in a decrease in SGF expenditures in the Department of Public Safety & Corrections - Youth Services (Office of Juvenile Justice), to the extent that there is an increase in the number of juvenile offenders who will be subject to the jurisdiction of criminal courts that were previously subject to the jurisdiction of juvenile courts. Proposed law will have an impact on the number of juveniles who will no longer require the services of the Office of Juvenile Justice. The LFO is working with the Office of Juvenile Justice (OJJ) to generate additional information regarding the specific expenditures associated with services that it will no longer assume with the jurisdictional transfer of certain juveniles from specialty juvenile courts to adult criminal courts.

For informational purposes, the Office of Juvenile Justice reports an average of 986 juveniles (in non-secure care, secure care, and under supervision of the Office of Juvenile Justice) over the last five years who have received services from the Office of Juvenile Justice that were adjudicated of a felony-grade delinquent offense and were aged 15 years or older at the time of admission.

District Courts and Specialty Juvenile Courts

Proposed law may result in an increase in Local Funds expenditures in district courts, to the extent that district courts exercising jurisdiction over felony cases involving juveniles for delinquent acts committed when the juvenile was 15 or older immediately transfer those cases to district courts. To the extent that more juveniles are prosecuted through adult criminal courts and not adjudicated through specialty juvenile courts, there may be an increase in workload and associated expenditures. The exact fiscal impact of the passage of this legislation is indeterminable, because it is not known the number of cases that would be immediately transferred over from courts exercising juvenile court jurisdiction to district courts. Conversely, specialty juvenile courts that exercise jurisdiction over matters involving felony juvenile adjudication will experience a decreased caseload, and in some instances a potential reduction in staff that currently manages felony juvenile adjudications.

Senate Dual Referral Rules
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House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}


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