



**LEGISLATIVE FISCAL OFFICE  
Fiscal Note**

Fiscal Note On: **SB 418** SLS 22RS 641  
 Bill Text Version: **REENGROSSED**  
 Opp. Chamb. Action: **w/ HSE COMM AMD**  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> June 2, 2022	10:23 AM	<b>Author:</b> CATHEY
<b>Dept./Agy.:</b> Juvenile Court/Judicial Districts		
<b>Subject:</b> Children's Code		<b>Analyst:</b> Rebecca Robinson

JUVENILE JUSTICE RE1 SEE FISC NOTE LF EX Page 1 of 2  
 Provides relative to the age of juveniles. (8/1/22)

Proposed law provides for the divestiture of juvenile court jurisdiction and original criminal court jurisdiction over children; as well as the transfer of custody of a child from a juvenile detention facility to an adult facility prior to trial.

<b>EXPENDITURES</b>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
<b>Annual Total</b>						

  

<b>REVENUES</b>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b>\$0</b>
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

**There is no anticipated direct material effect on state agencies, the Louisiana Public Defender Board, or the Office of the District Attorney.**

There will likely be an indeterminable decrease in expenditures for city and parish governments to the extent these entities are no longer required to house 17 year olds in a juvenile detention center during pre-trial proceedings. Under present law, cities and parishes are required to house 17 year olds in a juvenile detention center prior to trial (some exceptions provided). However, not all parishes have a juvenile detention center and those juveniles are sent to a detention center in another parish or even out of state. Local jurisdictions report paying approximately \$200 to \$250 per juvenile per day to juvenile detention centers, with one out of state facility charging \$600 per juvenile per day. In addition to the daily housing rate, local jurisdictions must also pay for travel costs to transport juveniles to and from the juvenile detention center for court appearances. Costs for local jurisdictions will likely decrease as a result of the proposed law, but will vary on the daily rate charged by local sheriffs or other jurisdictions.

There will likely be an indeterminable increase in expenditures to local sheriffs' departments to the extent they are required to house 17 year olds during pre-trial proceedings. The Louisiana Sheriffs' Association (LSA) reports that most sheriffs' departments do not currently house juveniles because they are unable to keep the juveniles "sight and sound separated" as required under the Juvenile Justice and Delinquency Prevention Act (JJDP). The LSA reports there will likely be increased costs for local sheriffs' for renovations to existing facilities in order to house 17 year olds and be in compliance with federal law. The impact is indeterminable as the LSA and local sheriffs are currently unable to determine the scope of the renovations.

**REVENUE EXPLANATION**

There is no anticipated direct material effect on governmental revenues as a result of this measure. However, to the extent local jurisdictions are not in compliance with the sight and sound regulations set forth in the Juvenile Justice and Delinquency Prevention Act (JJDP), there may be an indeterminable impact on federal grant funding through the Louisiana Commission on Law Enforcement.

**[CONTINUED ON PAGE 2]**

<u>Senate</u>	<u>Dual Referral Rules</u>	<u>House</u>
<input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}	<input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}	
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}	<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}	

*Evan Brasseaux*  
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**Evan Brasseaux**  
 Interim Deputy Fiscal Officer



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**CONTINUED EXPLANATION from page one:**

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**[CONTINUED REVENUE EXPLANATION FROM PAGE 1]**

The Louisiana Commission on Law Enforcement (LCLE) receives federal grant funding through the Juvenile Justice and Delinquency Prevention Act (JJDP) Formula Grants Program. LCLE reports it received approximately \$500,000 - \$750,000 annually through this program. The grant is to assist states in the development of more effective education, training, research, prevention, diversion, treatment, and rehabilitation programs in the area of juvenile delinquency and programs to improve the juvenile justice system. The JJDP and corresponding administrative rules and regulations require that juveniles alleged to be or found to be delinquent will not be detained or confined in any institution in which they have sight and sound contact with adult inmates. Any state not in compliance with the JJDP shall have their grant funding reduced by not less than 20% for each core requirement violated. **The proposed legislation may reduce the funding from the JJDP program by 20% if Louisiana is found to not be in compliance with the sight and sound regulations set forth in the JJDP.**

**FOR INFORMATIONAL PURPOSES ONLY:**

The Department of Public Safety & Corrections - Youth Services reports providing services to 1,469 juveniles (17 year old youth - post adjudication) since the Raise the Age legislation passed. The juveniles were placed under supervision and/or care as listed below.

	Supervision	Non-Secure Care	Secure Care
7/1/2019 - 6/30/2020 (non-violent only)	438	53	29
7/1/2020 - 6/28/2021 (full implementation)	412	46	44
<u>7/1/2021 - 5/10/2022</u>	<u>368</u>	<u>49</u>	<u>30</u>
<b>Total Youth Served</b>	<b>1,218</b>	<b>148</b>	<b>103</b>

**There is no fiscal impact to federal funds directly received by DPS&C - Youth Services.** The Department of Public Safety & Corrections - Youth Services receives the following federal funding:

\$84,016	Second Chance Act Technology Grant through the U.S. Department of Justice
<u>\$807,780</u>	Supplemental Income and Social Security Payments
<b>\$891,796</b>	<b>Total Federal Funds in FY 23 Executive Budget</b>

**DPS&C - Youth Services also receives federal funds via IAT from DCFS; however, these funds would not be affected by the proposed legislation.** In FY 21, Youth Services received \$1,781,654 from DCFS for the Federal IV-E Foster Program. This program permits Title IV-E agencies to claim reimbursement for a portion of foster care expenditures for children who are removed from home. Those funds may be transferred to Youth Services if a child is adjudicated delinquent. These funds are attributable to youth in non-secure placements (contracted providers in the community).

**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}

*Evan Brasseaux*  
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